



**Procedures for Consultation in the
Telecommunications and
Broadcasting Sectors of Trinidad
and Tobago**

Maintenance History		
Date	Change Details	Version
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1. Introduction

1.1 Role of the Telecommunications Authority of Trinidad and Tobago

1.1.1 The Telecommunications Authority of Trinidad and Tobago (the Authority) has been charged with the responsibility of liberalising and regulating the telecommunications and broadcasting sectors. As with the establishment of any liberalisation or regulatory process, the Authority is responsible for the formulation of regulatory documents and draft legislation which include frameworks, methodologies, regulations, guidelines, procedures, plans and other documents comprising the industry's regulatory framework, the implementation of which impacts relevant stakeholders¹ in these sectors.

1.1.2 The Authority recognises that stakeholders must be afforded the opportunity to participate in the development of these documents, as their engagement is essential to the Authority's fulfilment of its statutory duty. The Authority considers such stakeholder engagement to be not only integral to its regulatory processes but also vital for its effective performance.

1.1.3 Consequently, the Authority has formulated this document, *Procedures for Consultation in the Telecommunications and Broadcasting Sectors of Trinidad and Tobago* (Consultation Procedures), in accordance with section 18(4) of the Telecommunications Act, Chap. 47:31 (the Act), which states:

“In the performance of its functions under subsection (1)(c), (d), (e), (m) and (p), sections 28, 78 and 79 and any other provisions of the Act as the Authority deems appropriate, the Authority shall adopt procedures by which it will—

(a) afford interested parties and the public opportunities for consultation;

¹ “Stakeholder/s” in this document refers to any entity that has a vested interest in the telecommunications and broadcasting sectors, and includes service/facility providers and affiliates, investors, consumers/consumer groups, government, other regulatory agencies and the general public.

(b) *permit affected persons and the public to make appropriate submissions to the Authority”*

1.2 Purpose of this Consultation Procedures Document

1.2.1 Consultation is an essential part of regulatory accountability. It is the method by which stakeholders in the telecommunications and broadcasting sectors, who may be affected by various regulatory documents and draft legislation, can express their views beforehand on the issues contained therein. It is, therefore, imperative that, in the development of the regulatory framework, relevant parties are given the opportunity to comment on, or contribute to, proposed regulatory documents and draft legislation that could affect:

- (i) their investments.
- (ii) the sustainability of a competitive environment.
- (iii) benefits of competition.
- (iv) the development of the society as a whole.

1.2.2 The consultation process must ensure, *inter alia*, that:

- (i) information and feedback from stakeholders are considered in regulatory decision making.
- (ii) all aspects of an issue are examined.
- (iii) there is transparency in the decision-making process.

1.2.3 The Authority is mandated with the statutory duty to consult. This 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 the opportunity to be heard on matters that concern 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 as follows:

- (i) Universal service

- (ii) National telecommunications industry standards and technical standards
- (iii) Policies governing the telecommunications industry and issues arising at international, regional and national levels
- (iv) 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 or broadcasting service, with respect to rates, billings and services provided generally and the facilitation of relief
- (v) The orderly and systematic development of telecommunications throughout Trinidad and Tobago
- (vi) Regulations made pursuant to section 78 of the Act
- (vii) The Broadcasting Code
- (viii) Any other provision as the Authority deems appropriate

1.2.4 In furtherance of this statutory duty to consult, the Authority must ensure that its consultation procedures reflect the general principles governing this duty. This allows for effective consultations which 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 relating to “the duty to consult” as well as a jurisdictional analysis to assess the practicability of the existing Consultation Procedures document.

From this review, the Authority noted that consultations should take place at a formative stage in the decision-making process. 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 their feedback. Finally, the submissions of interested parties are taken into account before there is any finalisation of the matters under consultation.

Consultations must be done equitably to ensure that interested parties who may have a potential interest in the subject matter are aware, in defined terms, of the content of a consultation document and the reasons for consultation.

In its jurisdictional analysis, the Authority 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 they encourage wider and increased participation. Such methods include pre-consultation meetings, individual or groups meetings, discussions with academia and industry experts, open fora or public hearings, and the use of social media, amongst others. The Authority has, therefore, added more methods of consultation.

The Authority has also aligned the duration of the consultation periods with the scope of the consultation topic. Additionally, this revised Consultation Procedures document takes into account the nature, form, content, length and other relevant factors in the determination of the consultation procedures.

1.3 Scope

1.3.1 Pursuant to section 18(4) of the Act, the Authority will seek, in accordance with this Consultation Procedures document, the input of stakeholders in relation to various regulatory documents and draft legislation proposed by the Authority.

1.3.2 This Consultation Procedures document prescribes guidelines for:

- (i) the initiation of the consultation process.
- (ii) notification of a consultation.
- (iii) publishing regulatory frameworks and their components, including regulations, rules and other documents for consultation.
- (iv) receiving and documenting comments.
- (v) consultation on comments received.

- (vi) the final review of documents.
- (vii) notification of decisions made.
- (viii) the review cycle.

1.3.3 The procedures for the matters in 1.3.2 are detailed in sections 4 to 6 of this Consultation Procedures document.

1.3.4 It should be noted that the publication of statistical data, such as the Authority's Quarterly Market Update and its *Annual Market Report: Telecommunications and Broadcasting Sectors*, shall not be consultation.

1.4 Objectives of the Authority's Consultation Process

1.4.1 The Authority has prescribed a consultation process in this Consultation Procedures document, which aims to ensure that the following objectives are achieved:

- (i) Stakeholders are adequately informed of the issues surrounding a particular matter.
- (ii) Stakeholders are given the opportunity to express their views and be part of the document development process.
- (iii) Adequate and accurate information is shared between stakeholders and the Authority.
- (iv) The confidentiality of comments submitted to the Authority by stakeholders is maintained, if expressly requested.
- (v) The consultation process is not unnecessarily lengthy to affect the time taken to arrive at a decision.
- (vi) There is flexibility to modify regulatory documents or draft legislation when the need for such arises.

1.5 Review Cycle of this Consultation Procedures Document

The Authority will undertake a periodic review of this Consultation Procedures document to assess its effectiveness.

1.6 Modifications to this Consultation Procedures Document

1.6.1 The first version of this Consultation Procedures document was published on February 21, 2005. The Authority recognises that, as the telecommunications and broadcasting sectors continue to evolve, there is a need to periodically revise this Consultation Procedures document to ensure that it is relevant vis-à-vis legal principles relating to the duty to consult and is keeping up with industry best practice.

1.6.2 The first revisions to this Consultation Procedures document were finalised in January, 2010 and subsequent revisions were completed in January, 2013. In revising both versions, the Authority had written to stakeholders who had participated in previous consultations, requesting feedback on the effectiveness of the process.

1.6.3 The 2013 version of the Consultation Procedures document was subsequently revised and issued for a first round of consultation on August 29, 2019. The Authority received comments and recommendations from two stakeholders, namely, Columbus Communications Trinidad Limited (CCTL) and Telecommunications Services of Trinidad and Tobago (TSTT), and revised accordingly.

1.6.4 That revised document was issued for a second round of consultation on August 10, 2020. Further revisions were made following the receipt of comments and recommendations from one stakeholder, namely, Columbus Communications Trinidad Limited (CCTL).

1.7 Definitions

1.7.1 For the purpose of this Consultation Procedures document, the phrases have the following meanings:

“minor modifications” means minor editorial or grammatical changes, accidental errors or omissions

“regulatory documents” means frameworks, guidelines and, 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

“direct impact” refers to the degree of significance, effect or influence that the methodologies will have on the regulatory framework guiding the Authority in its operations and oversight of the telecommunications and broadcasting sectors

“significant impact” refers to the effect on the sectors, based on the following criteria or thresholds:

- (i) which persons/groups are going to be impacted
- (ii) the size of the groups that will be impacted
- (iii) the nature of the impact on the persons/groups
- (iv) how large the effects are expected to be

2. Overview of the Consultation Process

2.1 Forms of Consultation

2.1.1 The Authority recognises the need to utilise various forms of consultation in which issues and proposals can be fully ventilated and input received from stakeholders. The Authority shall identify the most appropriate form(s) of consultation required to address a particular subject matter, which may include:

- (i) Formal invitations for written submissions. This method is the primary and most frequently used form of consultation. It involves the furnishing of draft documents that discuss the issues and/or proposals of the Authority. Stakeholders are invited to formally submit written comments on the draft consultation document(s), for the Authority's consideration, utilising the Authority's Consultation Comments Submission Form (Appendix A) and the designated email address.
- (ii) Individual meetings with one or more affected stakeholders. This form of consultation allows for informal information gathering, through face-to-face meetings with identified parties, with the aim of gaining immediate feedback and clarity on questions or issues.
- (iii) Group meetings, seminars and workshops with representative groups and other interested parties. This form of consultation would be an opportunity to present issues, questions and ideas in a setting with specific stakeholders that facilitates discussions in order to gain feedback.
- (iv) Public hearings. This method of consultation provides a forum wherein members of the public are afforded the opportunity to raise concerns, provide

feedback and/or inform the Authority of matters relating to the particular consultation issue, which may be of importance to them.

- (v) Discussions with academia, regulatory professionals, industry advisors and/or other advisory bodies considered as sources of expert advice on complex issues.

 - (vi) Consumer surveys. These may include face-to-face, telephone, email, web-based, social media or postal surveys and comments received may be published.

 - (vii) Comments from the general public. This approach may include inviting members of the public to leave their comments on a particular issue via a toll-free telephone number, or submit comments on a designated social media platform(s), a web-based portal or to a designated email address.
- 2.1.2 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 stakeholders sufficient notice, in all instances, to ensure that they can effectively participate in the consultation process.

2.2 Criteria to Determine the Form of Consultation

2.2.1 In deciding which form(s) of consultation should be used for any subject matter, the Authority shall take the following factors into consideration:

- (i) The objectives of the consultation
- (ii) The nature of the issue being consulted upon
- (iii) The categories and number of persons who may be affected by the decision
- (iv) The impact on the telecommunications and broadcasting sectors and/or market
- (v) The time frame allocated for the resolution of a particular issue

3. Summary of the Consultation Process

- 3.1 The Authority shall 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.
- 3.2 The Authority engages in a minimum of one round of consultation for legislation and a minimum two rounds for regulatory documents. Nevertheless, the Authority has the discretion to increase or decrease 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.
- 3.3 When the Authority intends to forego a second or additional round of consultation, it shall issue a notification to stakeholders on its website, social media platforms and in each daily newspaper, with the accompanying reasons for doing so.
- 3.4 Where a stakeholder objects to the Authority's decision at 3.3, it shall, within 10 working days of the date of the notification, submit to the Authority for its review, such representations with cogent reasons for its objections.
- 3.5 The Authority shall review the submission made under 3.4 within 10 working days from its receipt.

- 3.6 Upon completion of its review at 3.5 above, the Authority will, within three (3) working 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.
- 3.7 There are three stages for each round within the Authority's current consultation process, as follows:
- (i) In the first stage, the Authority identifies the issue to be consulted on and drafts the consultation document.
 - (ii) In the second stage, the consultation document is issued, inviting comments from the relevant stakeholders. The Authority will identify the method(s) for the submission of comments. If stakeholders are requested to submit written comments on consultation documents, they must do so using the Authority's Consultation Comment Submission Form (see Appendix A) and the designated email address, within the consultation period set by the Authority. The Authority may also use this period to engage in other forms of consultation, either to gather additional information or clarify information that it has received.
 - (iii) In the last stage, when the period for consultation has expired and all comments have been received, the Authority compiles those comments, duly considers them and makes decisions based on the feedback, which may be reflected in amendments to the consultation document.
- 3.8 These stages of the consultation process are repeated in further rounds of consultation, as required, before the document is finalised.
- 3.9 The Authority shall complete each consultation within one year of the commencement of the consultation process. 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 updates. The Authority will set clear commencement and finalisation dates, taking

into consideration factors that would affect the time frame. Such factors may include requests by stakeholders for extensions, the need for further rounds of consultation, and 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 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 within the expected time period for completion, as it may not be judicious or practicable to do so.

- 3.10 The other forms of consultation that can be undertaken are set out under section 2.1 of this Consultation Procedures document.

3.11 The flowchart in Figure 1 summarises each stage of the Authority’s consultation process.

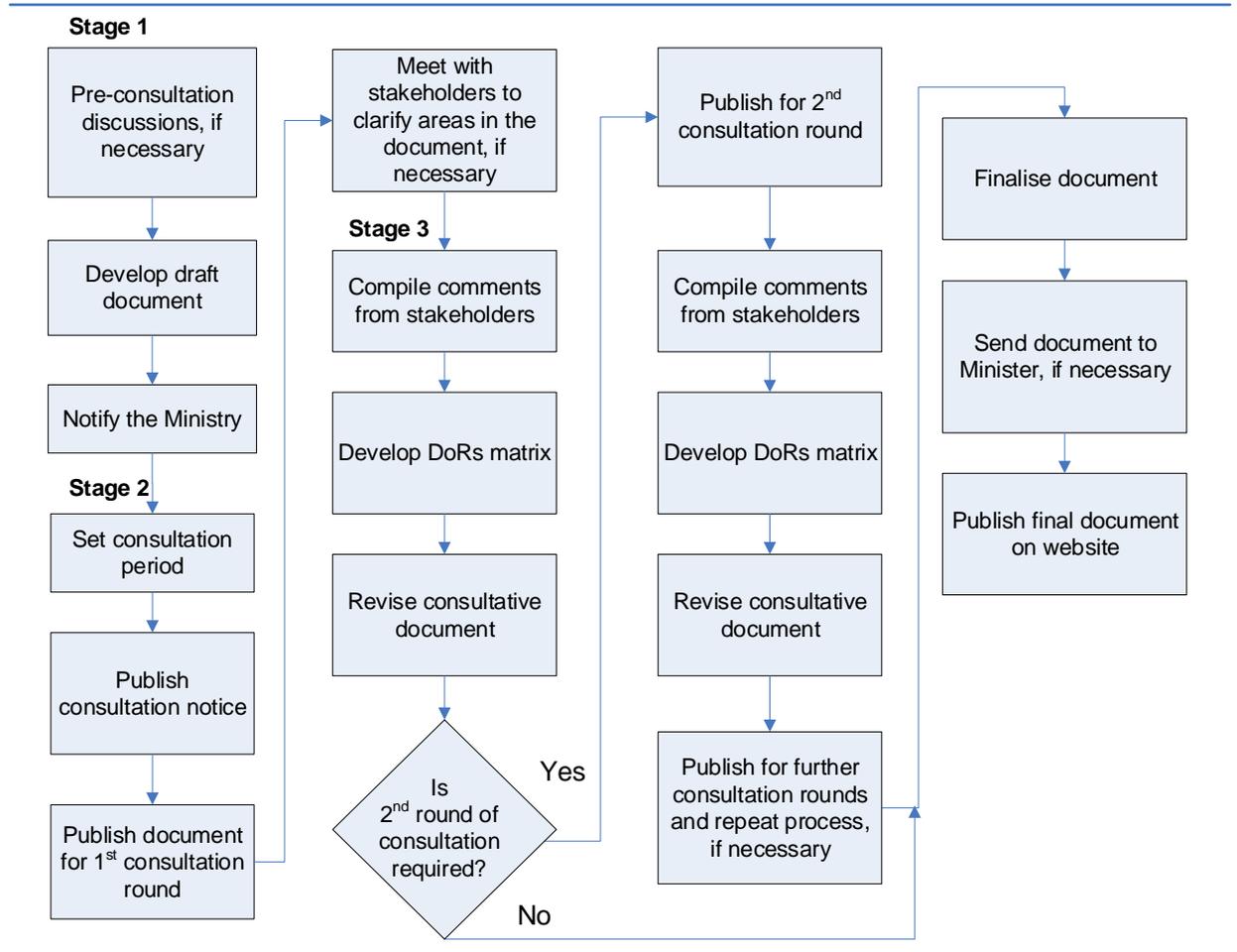


Figure 1: Flowchart summarising the Authority’s consultation process

4. Consultation Procedures — Stage 1

4.1 Development of the Draft Document

4.1.1 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. The Authority may also invite comments and input from relevant stakeholders about specific topics, where the Authority believes these contributions will assist in the development of the consultation document.

4.1.2 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 it. Some of the objectives of these discussions would be to gather new ideas, collect views, data and knowledge and 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.

4.1.3 Taking into consideration the input received pursuant to section 4.1.1 and 4.1.2 above, the Authority will prepare a draft consultation document and publish it for a first round of consultation, with a second or further round of consultation to follow, as required, based on the type of consultation document being issued.

4.2 Notification to the Ministry

4.2.1 The Authority shall formally submit copies of the consultation document to the Minister² prior to the scheduled dates for all rounds of consultation.

4.3 Publication of Consultation Notice

4.3.1 The Authority shall publish a consultation notice to inform the public and stakeholders of the availability of the consultation document issued for comments. The notification shall appear in each daily newspaper, on the Authority's website and its social media platforms, and will indicate, at a minimum:

- (i) the title of the consultation document.
- (ii) the website or link from which the document can be downloaded and the locations where a physical copy of the document can be obtained.
- (iii) the date from which the document will be available.
- (iv) the deadline for submission of comments.
- (v) contact information for person(s) to whom queries may be addressed.
- (vi) any additional information as the Authority deems necessary.

4.3.2 For the duration of the consultation period, the consultation notice shall remain on the Authority's website and its social media platforms.

4.3.3 The Authority may, where necessary, publish the consultation notice in any local, regional or international publication or website.

² "Minister" means the member of Cabinet to whom responsibility for telecommunications is assigned, as defined under section 2 of the Act.

4.3.4 The Authority may also notify the public through public service announcements via print or electronic media. This method of notification may be used in instances where the Authority considers that the consultative document may have a significant impact on the national community.

4.3.5 The Authority shall directly inform key stakeholders of the publication of the consultative document.

4.4 Publication of Consultation Documents

4.4.1 All consultative documents shall be uploaded on the Authority's website and the links for such documents posted on its social media platforms.

4.4.2 The Authority shall publish an abridged version of the document in each daily newspaper and its social media platforms, in instances where it believes the matter under consideration can have a significant impact on the population. In such cases, the document may contain opinion questions, in order to improve the response rate and quality of feedback from the public. Such abridged versions shall be no more than 1000 words and contain the salient points regarding the substantive regulatory document or draft legislation proposed for consultation. The Authority will provide in the consultation notice the details of how to access the full version of the consultation document online or where it can be collected.

4.4.3 Printed consultative documents shall be available for collection at the Authority's offices in Trinidad and in Tobago, or at another designated location identified by the Authority.

4.4.4 Other formats of the document may also be made available upon request.

4.4.5 The Authority may charge a fee for documents, in any format, collected at its office.

5. Consultation Procedures— Stage 2

5.1 The Consultation Period

5.1.1 The Authority shall, as far as possible, have at least two rounds of consultation for the review of new regulatory documents, which do not include regulations.

5.1.2 (a) Where a regulatory document previously consulted on is being modified, the Authority may conduct only one round of public consultation, if the Authority believes that would suffice. This would be the case, for example, if the matters for consideration are 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 just a single round of consultation. In such instances, at the end of the consultation process, the document shall be finalised.

(b) Where a stakeholder disagrees with a decision by the Authority to hold only one round of consultation, as per 5.1.2 (a), the stakeholder may indicate its dissent, providing cogent reasons for the Authority to consider, following the steps stated under section 3.3.

5.1.3 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 the Authority has received in the first round, how topical an issue is, or the impact of the modifications on the sector.

- 5.1.4 Furthermore, due to the thorough deliberations entailed in the enactment of legislation, the Authority shall have one round of consultation in respect of draft regulations, prior to submission to the Minister, pursuant to section 78 of the Act. The Authority may engage in additional rounds of consultation on regulations, where it considers it appropriate to do so.
- 5.1.5 The duration of the consultation period may vary depending on the urgency of the matter at hand, the level of complexity of the subject matter, the need to allow enough time for stakeholders to make meaningful contributions and the number of rounds of consultation. The deadline date for the submission of comments will be stated in the consultation notice.
- 5.1.6 In exceptional circumstances, the Authority will consider a shortened consultation period to address urgent matters that may have arisen, which could not have been 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.
- 5.1.7 In instances where the Authority requires that a consultation period be less than four weeks, the Authority shall provide adequate or appropriate justification.
- 5.1.8 The Authority has identified five consultation document categories based on the level of complexity of the subject matter and the potential impact on the industry, which would determine the duration of the respective consultation period. (See Table 1 for the consultation periods for these categories.)
- 5.1.9 The Authority's intention is to use 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 substantial interest in the topic. The Authority will also consider how topical an issue is or its impact on the sector.

5.1.10 Where significant changes have been made to a document based on comments received from a consultation, the Authority reserves the right to conduct additional round(s) of consultation.

5.1.11 Where a consultative document is originally carded to undergo two rounds of consultation, but the Authority only receives non-substantial comments requiring minimal changes to the document, the Authority reserves the right to consider the consultation complete and move to finalise the document without undertaking a second round of consultation. The Authority will notify the public and stakeholders of its decision to end the consultation process by way of a notice which shall contain the appropriate justification.

Table 1. Consultation periods for regulatory documents and legislation

CONSULTATION CATEGORIES	DOCUMENT	CONSULTATION PERIOD	ROUND(S)
<u>Category 1:</u> Regulatory documents that cover: <ol style="list-style-type: none"> i. major policy initiatives or issues relevant to an extensive range of stakeholders; ii. proposals that will significantly impact several stakeholders; or iii. proposals that will significantly impact the telecommunications and broadcasting sectors and/or markets. 		Six to eight weeks per round, as the Authority determines	2
<u>Category 2:</u> Regulatory documents that are of interest to a limited number of stakeholders who are already aware of the issues		Four to six weeks per round, as the Authority determines	2
<u>Category 3:</u> Regulatory documents that discuss: <ol style="list-style-type: none"> i. minor technical issues; ii. proposals that will have a limited effect on the market or industry; iii. matters previously consulted on; or iv. minor modifications to existing regulatory documents. 		Four weeks	1
<u>Category 4:</u> Regulatory documents that address matters that require urgent resolution		One to four weeks	1
<u>Category 5:</u> Legislation	<ul style="list-style-type: none"> • The Act and Broadcasting Code 	Six to eight weeks, as the Authority determines	1
	<ul style="list-style-type: none"> • Regulations 	Six weeks	1

5.2 Extension of Consultation Submission Deadline

- 5.2.1 The Authority seeks to strike a balance between giving stakeholders sufficient time to submit comments and ensuring that proposals are dealt with expeditiously. In doing so, the Authority will consider circumstances where there is need to extend the submission deadline, whether on its own initiative or at the request of stakeholder(s).
- 5.2.2 When reviewing requests for an extension, the Authority will make allowances for consultations issued during vacation periods (for example, July/August and Christmas/New Year) and public holidays, to cater for possible staff shortages that sometimes occur during these periods.
- 5.2.3 Where a stakeholder requires an extension of the submission deadline, the stakeholder shall formally submit a request in writing to the Authority, within seven working days of the submission deadline, providing cogent reasons for the request.
- 5.2.4 The Authority shall review a request for an extension of the submission deadline within three working days of its receipt and, where the stakeholder requesting the extension provides cogent reasons, the Authority may grant it.
- 5.2.5 Where the Authority grants an extension of the submission deadline, it shall issue a notification of the new deadline date to all stakeholders within two working days of its decision.
- 5.2.6 The new submission deadline date shall not exceed 30 days from the previous deadline date. The Authority reserves the right to not consider any submission received after the new deadline date.

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.

5.2.8 The Authority may reject any request for an extension of time that is not submitted within seven working days of the submission deadline for comments.

5.2.9 The Authority may, of its own volition, extend any deadline or period prescribed in this Consultation Procedures document.

5.3 Submission of Comments

5.3.1 The Authority may receive comments from the following categories of stakeholders:

- (i) Regulatory or government agencies
- (ii) Existing service and/or facility providers and their affiliates
- (iii) Potential service and/or facility providers and their affiliates
- (iv) Service provider associations, clubs, groups and similar bodies
- (v) Consumer groups
- (vi) The general public

5.3.2 Employees, investors and shareholders of entities in categories (i) to (iv) above, who wish to comment on consultative documents issued by the Authority, shall do so in unison with the submission made by the entity. Entities are encouraged to collate the views of all their stakeholders, prior to submission to the Authority.

5.3.3 Clause 5.3.2 does not apply to an employee or agent of an entity who wishes to comment in his personal capacity.

- 5.3.4 The Authority's primary method for the receipt of comments is through written submissions. Such comments may be submitted electronically (preferably via the designated email address or submitted via an online portal) or in a printed format that is hand delivered or mailed to the Authority. All electronic submissions must be submitted in Microsoft Word format, PDF or Rich Text format, or such format as stated by the Authority.
- 5.3.5 The Authority shall deal with the submission of comments in the manner prescribed in 5.3.8.
- 5.3.6 All written comments and recommendations must be submitted using the prescribed consultation form (see Appendix A), which shall be published on the Authority's website, unless otherwise directed by the Authority.
- 5.3.7 The Authority may reject any comment or recommendation that is not submitted in the prescribed consultation form or that is deemed obscene, vexatious, frivolous or defamatory in nature.
- 5.3.8 In accordance with section 80(2) of the Act and/or the terms of the authorisation of a service provider or licensee, any interested party submitting information to the Authority may request that some parts of the submission be treated as confidential and therefore not be published.
- 5.3.9 The consultation form shall contain, at a minimum:
- (i) Respondent category
 - (ii) A declaration of interest
 - (iii) Name of entity, if applicable

- (iv) Contact information (contact person, address, telephone number, email address etc.)
- (v) The proposed structure of comments to be submitted
- (vi) A declaration that provides respondents with a choice of having their submitted comments published by the Authority for the purposes of consultation
- (vii) A signature
- (viii) Position of the signatory. This is applicable for (vii), if the person is submitting on behalf of an entity.

5.3.10 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.

5.4 Meetings with Stakeholders

5.4.1 During the consultation period, the Authority may hold individual or public meetings with stakeholders to clarify any areas of concern in the consultation document. The views of stakeholders expressed at such meetings will be noted and considered. Where such views are incorporated into the revision of the regulatory document or legislation, they will be published in a decisions on recommendations (DoRs) matrix, (attached as an appendix to the document) and subject to confidentiality considerations.

6. Consultation Procedures — Stage 3

6.1 Compilation of Comments from Stakeholders

6.1.1 Comments and recommendations received from stakeholders will be inserted into a DoRs matrix.

6.1.2 The Authority will deliberate on the comments and recommendations received and respond in the DoRs, and revisions will be made to the consultative document, as the Authority deems appropriate.

6.1.3 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.

6.2 Second Consultation Round

6.2.1 After revisions have been made to the document, based on the comments and recommendations received, the Authority may (where applicable) publish the document for a second round of consultation. The DoRs, which shall contain the Authority's decisions in respect of comments and recommendations received during the first round, shall be published as an appendix to the revised document.

6.2.2 Steps 4.3.1 to 6.1 will be repeated for the second and any additional rounds of consultation.

6.2.3 Minor modifications to existing regulatory documents and regulations shall not generally be issued for additional rounds of consultation unless the Authority deems it appropriate to so do, given the nature and scope of the modifications.

6.3 Finalisation of the Document

6.3.1 The Authority shall end the consultation process when it determines that it has received sufficient feedback to produce a final document for publication.

6.3.2 The Authority shall make decisions with respect to issues arising out of the consultation process and finalise the consultation document and DoRs within one year from the commencement of the consultation process.

6.3.3 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 would have affected 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 reissuing the regulatory document or legislation for an additional round of consultation, or restarting the consultation process, if there has been a significant delay or effluxion of time in the finalisation of the document.

6.3.4 A final DoRs document shall also be prepared, summarising the comments received in the previous consultation phase and the decisions made by the Authority based on those comments. The final DoRs document shall be included as an appendix to the final version of the document.

- 6.3.5 In the case of draft legislation, the Authority will submit the legislation for the approval of the Minister.
- 6.3.6 The final version of the regulatory document or draft legislation and the accompanying DoRs submitted to the Minister (6.3.5), with its final effective date, shall be posted on the Authority's website and a notification of the posting shall appear in each daily newspaper and on the Authority's social media platforms. The notification may also be published in any local, regional or international publication and/or website, as the Authority deems appropriate.
- 6.3.7 Printed documents shall also be available for collection at the Authority's offices, following payment of an administrative fee.

7. Consultation of Existing Regulatory Documents and Legislation

- 7.1 As the industry continues to develop, the Authority is obliged to amend/update existing regulatory documents and legislation as necessary.
- 7.2 Any stakeholder or member of the public may, at any time, submit proposals for modifications to be made to published regulatory documents and legislation. The Authority shall log all proposals received until the respective documents are scheduled for review.
- 7.3 In revising existing regulatory documents and legislation, the Authority shall conduct two rounds of consultation if the modifications on such documents will have a significant impact on stakeholders.
- 7.4 Where only minor modifications are required to an existing regulatory document or legislation, the Authority will conduct one round of consultation on such documents, subject to section 5.1.2 (b).
- 7.5 Where minor changes have been made to the document based on comments from the single round of consultation, the Authority may seek to finalise the document without further consultation.

- 7.6 Steps 4.3.1 to 6.1 shall be implemented for a single public consultation round, after which step 6.3 shall be followed to finalise the document.
- 7.7 Where significant changes have been made to the document based on comments received from the single round, the Authority reserves the right to conduct an additional round of consultation, which may be for a period of no less than four weeks.

8. Consultation on Substantial Issues

- 8.1. The Authority may conduct consultations on a subject matter where there is a substantial issue affecting the industry and the Authority deems it appropriate to gain feedback from the relevant stakeholders. Any stakeholder or member of the public may also submit proposals for consultation on a significant issue affecting the industry and the Authority will give due consideration to such proposals.

9. Logging of Consultations

- 9.1 Consultative versions of the document may remain posted on the Authority's website after finalisation for such period of time as determined by the Authority. This will ensure that all interested parties are adequately informed of the views expressed and issues addressed during the decision-making process.

- 9.2 The Authority shall also provide on its website a list of all active and closed consultations.

10. Review Cycle of Existing Regulatory Documents and Legislation

- 10.1 As the telecommunications and broadcasting industry within Trinidad and Tobago matures, the regulatory framework guiding the Authority in its operations and oversight of the telecommunications and broadcasting sectors will evolve.
- 10.2 The Authority shall review its regulatory framework, being guided by appropriate policies and objectives, with the aim of assessing whether existing regulatory documents and legislation remain relevant and effective to meet the needs of the industry and need updating. In such instances, the Authority shall consult with stakeholders (including the public).
- 10.3 Furthermore, the Authority will state in the regulatory document or legislation the applicable review cycle for each regulatory document or legislation.

APPENDIX I – Consultation Comments Submission Form



CONSULTATION COMMENT SUBMISSION FORM

Name of Document:

1. Respondent Category:

- (a) Regional regulatory or governmental agencies
- (b) Existing service and/or facility providers and affiliates
- (c) Potential service and/or facility providers and affiliates
- (d) Service provider associations/clubs/groups
- (e) Consumers/consumer groups
- (f) General public

2. Interest:

(Provide details of any relationship with or interest in any of the above respondent categories.)

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3. Contact Information:

Respondent's Name:

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Postal Address:

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Email Address:

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Contact Number:

.....

4. Comments:

Document Section	Comments	Recommendations

5. Confidentiality

The information and comments stated above can be published by the Authority for consultation purposes.

Agree

Do not agree because:

- All comments submitted are confidential.
- Some of the comments submitted are confidential. (In the information submitted in section 4 above, please indicate what information should be considered as confidential by the Authority.)
- Name of respondent/organisation is confidential.

If you do not want part of your response, your name or the name of your organisation to be published, can the Authority still publish a reference to the contents of your response (including, for any confidential parts, a general summary that does not disclose the specific information or your identity)?

Yes

No

6. Declaration

I confirm that the comments and recommendations submitted under this cover sheet is a formal consultation response that the Authority can publish, exclusive of those comments marked confidential.

Signature:

Position of signatory:

(This is only applicable for stakeholder categories a to e.)