



A Consultative Document

Draft Framework for the Authorisation of Maritime Mobile Services

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1 Introduction

This document is a subset of the National Spectrum Plan and should be considered as part of the entire National Spectrum Plan. The National Spectrum Plan (NSP) provides a framework to regulate the efficient use of spectrum, in an orderly manner, in accordance with the Authority's mandate. This includes the allocation, reallocation, assignment and re-assignment of spectrum.

1.1 Relevant Legislation

The Telecommunications Act (2001), Section (18)(1)(i) mandates the Telecommunications Authority of Trinidad and Tobago (the Authority) to “plan, supervise, regulate and manage the use of the radio frequency spectrum, including-the licensing and registration of radio frequencies and call signs to be used by all stations operating in Trinidad and Tobago or on any ship, aircraft, or other vessel or satellite registered in Trinidad and Tobago”.

Additionally section 36(1), states:

No person shall-

- (a) establish, operate or use a radio-communication service;*
- (b) install, operate or use any radiotransmitting equipment; or*
- (c) establish, operate or use any radio-communication service on board any ship, aircraft, or other vessel in the territorial waters or territorial airspace of Trinidad and Tobago, other than a ship of war or a military aircraft or satellite registered in Trinidad and Tobago without a licence granted by the Authority*

and section 38 states that:

Notwithstanding section 36 (1), a ship or aircraft being a ship or aircraft not registered in Trinidad and Tobago while operating in the territorial waters or

airspace of Trinidad and Tobago, is not required to have authorisation from the Authority for the establishment, operation of use of any telecommunications network or service or radiocommunications equipment as long as the service or equipment is operated or used under a valid authority or licence issued elsewhere than in Trinidad and Tobago in accordance with international agreements relating to telecommunications or radiocommunication in respect of ships or aircraft.

The Draft Radio Spectrum Regulations published by the Authority in 2005, states, inter alia:

39 A Maritime Station Licence shall be granted in respect of coastal maritime stations including Limited Coast Stations, Maritime Stations, maritime radio-navigation or radiolocation systems or stations installed on a ship's lifeboats, where the ship is registered or licensed by the relevant authority in Trinidad and Tobago.

40(1) A Maritime Station Licence may be granted by the Authority if—

- (a) the ship on which the station is to be carried (referred to in this regulation as the ship) has a valid internationally recognised Safety Radio Certificate as required under the Safety Of Life At Sea (SOLAS) convention;*
- (b) the station is operated by an appropriate number and category of radio operators holding a Certificate of Competency granted by a locally recognised Authority or a competent foreign authority recognised by the Authority, except where the vessel is used solely or principally for pleasure purposes;*
- (c) the ship has an accounting authority acceptable to the Authority; and*
- (d) the ship complies with such other requirements as may be determined by the Authority from time to time.*

(2) A person who is unable to furnish all the information required by the Authority in the application form for a Maritime Station Licence may, upon payment of the prescribed fee and upon satisfying such other requirements as may be determined by the Authority, be granted a Provisional Maritime Station Licence which shall be valid for such period and subject to such conditions as may be determined by the Authority.

41 A Maritime Station licensee shall —

- (a) provide on board the ship all documents either considered necessary by the Authority or required under the Radio Spectrum Regulations for the efficient and effective operation of the station carried on board the ship; and*
- (b) comply with the working procedures set out in the Spectrum Regulations and with such other requirements as the Authority may determine.*

42 A station on board a ship, whether licensed by the Authority or by a relevant foreign authority, may be used while the ship is within the territorial waters of Trinidad and Tobago, subject to compliance with International Maritime Organisation (IMO) and the International Telecommunications Union (ITU) regulations, for the purposes of—

- (a) safety of navigation, life or property or for any other purposes that may be authorised by the Authority; and*
- (b) communication on such radio frequency bands as may be specifically authorised by the Authority, including internationally designated maritime frequencies, subject to such conditions as may be determined by the Authority, where the use of the station does not cause interference to the working of any other station or network licensed under these Regulations.*

The Authority may at any time instruct a qualified radio surveyor to inspect the installation of a ship's radio and the qualifications of the operator when the ship is located in the territorial waters of Trinidad and Tobago, to verify compliance with IMO and ITU regulations.

1.2 Framework Objectives

The primary objectives of this framework are to:

- provide an effective regulatory framework for the licensing of Stations and Operators of Maritime Mobile Services in Trinidad and Tobago;
- outline the licensing process for Maritime Mobile Services;
- stipulate the requirements for operators' certification;
- ensure allocation of call-signs in an efficient, effective and transparent manner and consistent with the ITU recommendations;
- ensure compliance with international requirements, obligations and recommendations.

1.3 Modification to Document

As the country's telecommunications industry matures, the authorization of maritime mobile services will evolve. Subsequent to the consultation process, and after this document has been finalised, the authorization of maritime mobile services will be reviewed and modified as necessary and in consultation with stakeholders and the public, to ensure that regulatory practices and processes continue to be guided by appropriate policy guidelines and objectives.

1.4 The Consultation Process

The Authority is seeking the views and opinions of the key stakeholders, in this first consultation phase, regarding the proposals made in this *Draft Framework for the Authorisation of Maritime Mobile Services* document in accordance with the Authority's *Procedure for Consultation in the Telecommunications Sector of Trinidad and Tobago*.

The Authority's consultation procedures and comment submission form are available on the Authority's website, <http://www.tatt.org.tt>.

Comments should be submitted on or before 31st July, 2009 to policy@tatt.org.tt or mailed to:
Telecommunications Authority of Trinidad and Tobago,
#5, Eighth Avenue Extension, off Twelfth Street,
Barataria

1.5 Other Relevant Documentation

In addition to the NSP, the licensing of Maritime Mobile Services is also consistent with other policies, plans and regulations prepared by the Authority including the following:-

- Framework for the Authorization of Telecommunications Networks and Services and Broadcasting Services in Trinidad and Tobago
- Draft Radio Spectrum Regulations
- Trinidad and Tobago Frequency Allocation Table
- Draft Spectrum Management Policy

1.6 Definitions

Maritime Mobile Service is a *mobile service* between *coast stations* and *ship stations*, or between *ship stations*, or between associated on-board communication stations; *survival craft stations* and *emergency position-indicating radiobeacon stations* may also participate in this service.

Maritime mobile-satellite service is a *mobile-satellite service* in which *mobile earth stations* are located on board ships; *survival craft stations* and *emergency position-indicating radiobeacon stations* may also participate in this service.

Port operations service is a *maritime mobile service* in or near a port, between *coast stations* and *ship stations*, or between *ship stations*, in which messages are restricted to those relating to the operational handling, the movement and safety of ships and, in emergency, to the safety of persons.

Ship movement service is a *safety service* in the *maritime mobile service* other than a port operations service, between *coast stations* and *ship stations*, or between ship stations, in which messages are restricted to those relating to the movement of ships.

Coast Station means a *land station* in the *maritime mobile service*.

Ship Station means a *mobile station* in the *maritime mobile service* located on board a vessel which is not permanently moored, other than a *survival craft station*.

Ship earth station is a *mobile earth station* in the *maritime mobile-satellite service* located on board a ship.

On-board communication station is a low-powered *mobile station* in the *maritime mobile service* intended for use for internal communications on board a ship, or between a ship and its lifeboats and life-rafts during lifeboat drills or operations, or for communication within a group of vessels being towed or pushed, as well as for line handling and mooring instructions.

Port station is a coast station in the *port operations service*.

Emergency position-indicating radiobeacon stations means an earth station in the mobile satellite service the emissions of which are intended to enable a mobile station to determine its bearing or direction in relation to the radiobeacon station.

Survival craft station means a mobile station in the maritime mobile service or the aeronautical mobile service intended solely for survival purposes and located on any lifeboat, life-raft or other survival equipment.

Limited coast station is a land station in the maritime mobile service operated in a closed user group.

2 Background

The ITU has allocated radio spectrum in various frequency bands to the Maritime Mobile Service on a primary basis. These frequencies are shared by all stations operating in this service. The use of the bands below 156.000 MHz is regulated in accordance with Appendices 26 and 27 of the ITU Radio Regulations.

In Trinidad and Tobago there are approximately three hundred (300) Maritime stations that were previously licensed under the Wireless Telegraphy Ordinance (WTO).

This framework contains guidelines for the licensing of radiocommunication stations and radio operators of Maritime Mobile Services under the Telecommunications Act 2001, as amended in 2004.

3 Maritime Mobile Service Regime in Trinidad and Tobago prior to the Telecommunications Act 2001

Prior to the proclamation of the Telecommunications Act on 30th June 2004, the applicable legal instrument for the licensing of radiocommunication equipment was the *Wireless and Telegraphy Ordinance* (WTO) of 1936.

Under the WTO, a licence was required for the use of any ‘wireless apparatus’ and as such, the licensing framework was driven by the equipment or “apparatus” used in the provision of the radiocommunication service.

The regulatory function was performed under the Ministry responsible for Telecommunications and licences were granted by the Minister.

3.1 Procedures under the previous regime

Under the Wireless Telegraphy Ordinance (WTO) applications were submitted to the Telecommunications Division. They were processed by the Division, and a recommendation was made to the Permanent Secretary to grant the relevant licence. These licences were renewable annually on the 2nd of January.

Call signs and Maritime Mobile Service Identity (MMSI) numbers were issued to successful applicants by the Telecommunications Division.

A register of all the call signs and MMSI numbers issued was maintained by the Division. Operator certification was also conducted by the Telecommunications Division.

4 Proposed New Framework for Maritime Mobile Service in Trinidad & Tobago

The Authority, as part of its mandate to liberalize and regulate the telecommunications sector, is seeking consultation on the establishment of a regulatory framework that will be used to regulate the Maritime Mobile Service in Trinidad and Tobago.

The proposed regulatory framework is consistent with the Draft Radio Spectrum Regulations which indicates that Maritime Station Licences shall only be granted by the Authority in respect of a maritime coast station, limited coast station, or a ship station.

Applicants will be required to complete the Authority's Radiocommunications Licence Application form (L1) and Marine Radio Licence Technical Specifications form (TS-MA) and submit both with the relevant documents, as outlined in the instructions.

4.1 Spectrum Allocations for Maritime Mobile Services

Authority proposes to allocate Spectrum for Maritime Mobile Services licences in accordance with the Trinidad and Tobago Frequency Allocation Table (TTFAT). Any changes made to the allocation of bands for Maritime Mobile Services, will be reflected in the TTFAT. Specific spectrum allocated for each type of Maritime Mobile Service operation will be included in the licence schedules.

4.2 Licensing of Maritime Mobile Services

The Authority proposes to grant maritime mobile services station licences and maritime radio operator licences.

4.2.1 Types of Maritime Mobile Services Station Licences

The Authority proposes to grant licences for the following Maritime Stations:

- Coast stations which will provide full coast station facilities including public correspondence traffic;
- Limited coast stations which will be restricted to closed user group operations;
- Ship stations are stations on board vessels;

Maritime Mobile Services Framework Guideline:

The Authority proposes to issue Maritime Mobile Services Station Licences to:

- (1) coast stations*
- (2) limited coast stations*
- (3) Ship stations*

4.2.2 Maritime Mobile Services Operator Licences

The Maritime Services Division of the Ministry of Works and Infrastructure has the responsibility to ensure that all seamen are adequately certified, in accordance with the IMO convention, prior to operating any commercial or passenger vessel in Trinidad and Tobago.

Consequently, they are responsible for ensuring that institutions which conduct maritime training in Trinidad and Tobago, including maritime radio operator training, do so in compliance with the IMO recommendations and the Safety of Life at Sea (SOLAS 1974) Convention and its Protocols of 1978.

Maritime Mobile services radio operators of stations with Global Maritime Distress Safety System (GMDSS) equipment are required to be licensed in accordance with article 25 of the ITU Radio Regulations and the SOLAS convention.

Operator training and certification is conducted in compliance with the International Maritime Organisation (IMO) recommendations and the Safety of Life at Sea (SOLAS 1974) Convention and its Protocols of 1978.

Currently the only organisation, certified by the Maritime Services Division, which conducts maritime radio operator training in Trinidad and Tobago, is the University of Trinidad and Tobago.

Marine Radio Operators Licences shall only be issued to nationals and residents of Trinidad and Tobago with operator certificates issued by any Institution duly certified by the Maritime Services Division as well as certificates from foreign institutions, provided they are certified by their local Administration and conform to IMO recommendations and the Safety of Life at Sea (SOLAS 1974) Convention and its Protocols of 1978.

These certificates must be valid and active at the time of application for a licence to be considered by the Authority.

Maritime Mobile Services Framework Guideline:

The Authority proposes to issue Maritime Radio Operators Licence to Nationals and/or residents who hold valid Maritime Radio Operators certificates from institutions in Trinidad and Tobago which are certified by the Maritime Services Division or from foreign institutions that are certified by their local administrations in accordance with IMO recommendations.

4.3 Class of Maritime Radio Operator Licences

The Authority proposes to issue two (2) classes of maritime radio operator licences in compliance with Article 47 of the International Telecommunications Union Radio Regulations.

(1) Restricted operator's licence which covers only the operation of GMDSS equipment required for GMDSS sea areas A1, and does not cover the operation of GMDSS A2/A3/A4 equipment fitted on a ship over and above the basic A1 requirements, even if the ship is in a sea area A1. GMDSS sea areas A1/A2/A3 and A4 are identified in the International Convention for the Safety of Life at Sea, (SOLAS), 1974, as amended.

(2) General operator's licence which covers the operation of GMDSS A1/A2/A3/A4 equipment fitted on ship stations or ship earth stations or coast stations.

Maritime Radio Services Framework Guideline

The Authority proposes to issue two classes of Maritime Radio Operator Licence

- 1. Restricted Class – for applicants limited to Sea A1 equipment only.*
- 2. General Class- for applicants qualified to operate in all Sea Areas (all maritime frequency bands).*

4.4 Maritime Mobile Services Licence Term

The Authority proposes to receive and process applications for ship, coast, and limited coast station licences. Successful applicants will be granted licences for a term of one (1) year, unless otherwise determined by the Authority.

Maritime Mobile Services Framework Guideline

The Authority proposes that Maritime Mobile Services licences shall be valid for a period of one (1) year.

4.5 Renewal of Maritime Mobile Services Licences

The Authority proposes to renew Maritime Mobile Services station licences, previously granted by the Authority, for a period of one (1) year.

Maritime Operator licences are valid for the life time of the operator.

Maritime Mobile Services Framework Guideline

The Authority proposes to grant renewals to Maritime Mobile Services Licenses for a period of one (1) year.

Maritime Mobile Services Licensees may apply for a renewal of their station licences at least one (1) month, but no more than three (3) months, prior to its expiration.

4.5.1 Maritime Mobile Services Call Signs

The Authority proposes to issue call signs where a licence is granted to ship and coast stations. Call signs will consist of both a prefix and suffix. The prefixes 9Y and 9Z are the nationality symbol allocated to Trinidad and Tobago by the ITU. The suffix shall comprise of a combination of one to three letters assigned by the Authority.

A register of the call sign designations (groups) and all the call signs issued shall be maintained by the Authority and published on the Authority's website.

Maritime Mobile Services Framework Guideline

The Authority proposes to issue call signs to Maritime Mobile Services Station Licences. The call signs shall consist of the prefix 9Y and 9Z followed by an applicable suffix allocated from the table of call signs designations, maintained by the Authority, and published on the Authority's website.

4.6 MMSI

The Authority proposes to assign Maritime Mobile Service Mobile Identities (MMSI) numbers to vessels equipped with GMDSS equipment in accordance with Article 19 of the ITU Radio Regulations. MMSI numbers will consist of a country code followed by a unique identifier which is assigned in a sequential format.

The Authority will maintain a register of all the MMSI numbers assigned and publish the list on its website.

Maritime Mobile Services Framework Guideline

The Authority proposes to issue Maritime Mobile Service Identity (MMSI) Numbers to GMDSS equipped vessels and publish a list of the assignments on the Authority's website.

4.7 Limited Coast Stations

The Authority proposes to receive applications from Shipping agents and Port operators for a Limited Coast Station Licence. Limited Coast Stations transmissions will be restricted to closed user group communications between the ship station and the Limited Coast Station for the safety of life, port movement and port operations only.

Limited Coast Stations will operate in the VHF Maritime Band.

Maritime Mobile Services Framework Guideline

The Authority proposes to issue licences to Limited Coast Stations in the Maritime VHF Band.

4.8 Licences for Foreign Registered Ship Stations

The Authority proposes to receive applications from foreign registered ships with a valid licence wishing to operate in Trinidad and Tobago's territorial waters for a period exceeding thirty (30) days for a Special Event ship station licence for the period of their operation not exceeding one (1) year.

Applications should be submitted at least thirty (30) days in advance of the proposed date of start up of operations.

These Special Event ship station licences are not renewable and expire upon departure of the ship from our territorial waters even if departure is prior to the licence expiration date... However, an applicant may apply for a new licence upon the expiration of their existing licence.

Maritime Mobile Services Framework Guideline

The Authority proposes to issue Special Event Ship Station Licences to foreign registered vessels for the period of their operation in Trinidad & Tobago.