

Convergence of communications Sri Lanka's Regulatory Approach.

Presented By
Sumathi Dharmawardena
Senior State Counsel
Attorney General's Dept.
Sri Lanka

Regulation of Telecommunication Industry in Sri Lanka

- Liberalisation of Telecommunication industry of Sri Lanka
- the enactment of the Sri Lanka Telecommunications Act no 25 of 1991
- TRCSL is the recommending authority for the Minister to grant license
- the management of the radio spectrum frequency is with TRCSL

Regulation of Broadcasting Industry in Sri Lanka

- Minister to issue licenses for the private broadcasting stations
- Radio and Television broadcasting in Sri Lanka is regulated by SLBC and SLRC under the supervision of Minister.
- Radio frequency required for broadcasting is governed by TRCSL

Definitions of Telecommunication and Broadcasting

Telecommunication -“a set of nodes and links that provide connections between two or more defined points to accommodate telecommunication...”

- television broadcasting- *“includes cable television but excludes the broadcasting of radio programmes*

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- broadcasting*“includes the broadcasting of television programmes;”*

- No broader definition

- *Telecommunication network – provide connections between two or more defined points*
- *broadcasting - for reception by the public*
- *telecommunication and broadcasting are regulated as separate sectors .*
- *SLBC and SLRC – dual role of regulator and Commercial organization.*
- *number of disputes before the Courts.*

Convergence of Communications

- *convergence of Telecommunications, broadcasting and IT a new challenge for regulators.*
- *Convergence, the digital takeover of communication and information, a new kind of interchangeability and interconnectedness*
- *future growth in the media market in Sri Lanka in the next decade will be driven by Cable and Satellite based pay TV services*

Changes in information and communication industry

- *Convergence - affected changes in the spheres of technology, and economics of the industry.*
- *Entrepreneurs embrace the integrated media and communication industries.*
- *OECD has identified at least four implications.*
- *Sri Lankan entrepreneurs venture into commercial activities with the new technological developments.*
- *Does Regulators prepared to meet the challenge?*

Closure of DTH TV operations in Sri Lanka

- *The CID Investigated the of provision of DTH services by CBNsat /Sonicnet & LBN Networks.*
- *Equipments were sealed by the CID on a directive of the Magistrate.*
- *CBNsat /Sonicnet up linked encrypted data to 'Pas12 Satellite' and they in turn transmitted it back to Sri Lanka.*
- *LBN operated Cable TV network.*

- *Both services operated Direct To Home (DTH) TV services utilized Telecommunication system.*
- *No licenses in terms of Telecommunications Act No 25 of 1991.*
- *EGO License of CBNsat did not permit, use of Telecom system for DTH.*
- *Supreme Court granted interim relief –to recommence transmission ,sale of shares to a licensee.*

- *Whilst litigation was pending TRCSL called for applications to issue non-voice license for satellite & Cable TV.*
- *TRCSL issued license to provide converged communications (DTH), subject to Media license.*
- *license was limited to Data communication service and Cable Television service*

Conclusion

- *The lacuna in both Telecom and Broadcasting (SLBC and SLRC) legislations blocked the development of converged communications.*
- *growth of convergence of communications the regulator- should be transparent & facilitate competition.*
- *does Sri Lanka need sector specific competition code or law ?*

- *GOSL should consider the separation of regulatory activities of SLBC and SLRC.*
- *Malaysia-answer to convergence was to establish a single regulator.*
- *The Hong Kong's approach - not to merge the two regulators for telecom and broadcasting. But a link to control & Supervision.*

- *The challenge before the GOSL*
- *to identify the necessity to create an environment for the growth of convergence of communications.*
- *to develop a policy for Sri Lanka to meet the requirements of communications industry.*
- *Finally to decide the merger of TRCSL and broadcasting regulator or to create a link.*

■ **Time for comments and Questions**

■ **THANK YOU**

■ *Sumathi Dharmawardena*