



**Order of the Regulator No. 2019/T71**

**REVOCATION OF BROADCASTING LICENCE(S)**

Following a series of meetings and letters by the Regulator to Broadcasters (TV) regarding the Digital TV Transition Project ("Project"); on 15 May 2019 the Regulator issued Order of the Regulator No. 2019/T67 ("*2019/T67 Order*") to relevant Broadcasters to provide by 17 May 2019 (4.00pm) link of raw signal to the headend at Vaitele for testing purposes.

Subsequent to the 2019/T67 Order and as a result of **EFKS TV's ("TV2")**, ("Licensee") none compliance, the Regulator on or about 20 May 2019 issued a notice of intention to revoke licence pursuant to subsections 7(1) (e), (v) and section 27 of the *Broadcasting Act 2010 ("the Act")*.

As part of the notice process, ample time and opportunity was given to the Licensee to respond; however the licensee despite being afforded the time and opportunity to comment, did not provide any comments or explanation prior to the cutoff date as to why it had not observed the 2019/T67 Order of the Regulator, nor did it request an extension on time so that they may adequately respond. As such the Regulator finds it fit to make the following Order.

**Order**

Pursuant to the Act; all duties, authorizations and obligations granted by the Regulator to the Licensee will be revoked by **3 June 2020 ('revocation date')**.

Given the provision of the Act which requires that consideration be given to audiences and customers; the Regulator hereby grants the Licensee 12 months from 4 June 2019 (to conclude operations and to inform all customers of cessation of services).

Revocation of Licence shall be without prejudice to the rights and remedies which accrue to the Regulator under the Licence, or any law in force at the date of revocation.

Provided the Licensee is able to execute and accomplish the provision of links to the headend as per the 2019/T67 Order prior to the revocation date, then the Regulator may rescind revocation of licence by re-issuing an Order to such an effect.

(Lefaoalii Unutoa Auelua-Fonoti)

**REGULATOR**

