



Government of Samoa

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**ORDER OF THE REGULATOR NUMBER 2007/6
BLOCKING OF ACCESS TO EMAIL SERVICES**

COPY

Whereas

It has been alleged that Computer Services Ltd, iPasifika, and Le Samoa.Net have, acting separately or jointly, arranged to intentionally block their customers from accessing their email accounts via the use of SamoaTel broadband services;

Noting that written complaints from ISPs customers have been received by the Office of the Regulator, both directly and via correspondence from legal counsel for certain customers, stating that the ISP customers received no advance warning of the intention to block access to their email accounts;

Noting that such actions to block access to email accounts are in breach of sections 74(1)(d) and (e) of the Telecommunications Act 2005 which expressly prohibits suppressing telecommunications or computer data;

Noting that section 28 of the Telecommunications Act 2005 states that no person shall engage in arrangements between two or more telecommunications service providers that directly or indirectly fix prices or other terms and conditions of telecommunications services;

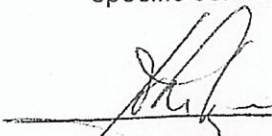
Noting that section 75 of the Telecommunications Act 2005 provides for penalties of 5,000 units per day for companies that are found to have contravened any provision of the Act or an Order made by the Regulator.

Order to Cease Blocking Access to Email Accounts

Pursuant to section 77(d) of the Telecommunications Act 2005, those ISPs who have blocked access to email accounts to users of SamoaTel broadband services are instructed to remove all such blocking. The removal of the blocking shall be effected within one working day from the date of this Order.

Failure to comply with the instructions set forth above may result in penalties being applied under section 75 of the Telecommunications Act 2005.

Nothing in this Order implies that customers of ISPs are obliged or encouraged to use any specific service to gain access to their email accounts.


John Morgan
Regulator

Dated: 11 May 2007