

Order of the Regulator No. 2015/T05

Exclusive Dealing

The Regulator makes the following Order pursuant to the objectives, function and duties enacted under the *Telecommunications Act 2005* ("the Act") at sections 8 (r), 25 and 28.

ORDER OF THE REGULATOR

1. Subject to section 2 of the order; no person shall engage in a practice or enter into an agreement that distorts competition or exclude other service providers from the provision of efficient and reliable licensed telecommunications service to the public.
2. An agreement may be exempted if a prior written approval is obtained from the Regulator. The Regulator may grant an exemption on the grounds of:
 - (a) it is in the public interest; and
 - (b) it is consistent with the objectives set out in section 3 of the Act; and
 - (c) it is an obligation under a treaty or convention that Samoa is a party to.
3. Any act or omission contrary to this Order shall be considered as an Offence as per section 75 of the Act which is subject to certain liabilities.

The Effective date of this Order is **Thursday 3rd September 2015**.

Dated this Wednesday 2nd day of September 2015



Unutoa Auelua Fonoti
INTERIM REGULATOR