



Telecom Decision CRTC 2009-654

Ottawa, 16 October 2009

Revocation of basic international telecommunications services licences

In this decision, the Commission revokes the basic international telecommunications licences of 19 companies that have failed to comply with the conditions of licence. The Appendix identifies the companies that have had their licence revoked.

1. All entities that provide basic international telecommunications services (BITS) to Canadians are required, pursuant to subsection 16.1(1) of the *Telecommunications Act* (the Act), to be licensed by the Commission. In Telecom Decision 98-17, the Commission established classes and conditions of licence. In Telecom Circular 2005-8, the Commission amended certain conditions of licence of Class A and Class B BITS providers.¹
2. Licensees are subject to annual reporting requirements pursuant to the following condition of licence:

The licensee shall file with the Commission any information required to be filed, in such form as may be prescribed by the Commission. For example, the licensee shall comply with the telecommunications industry data collection process requirements set out in Telecom Circular 2003-1 and Telecom Circular 2005-4, as amended from time to time by the Commission.

3. Despite numerous Commission requests that licensees comply with these filing requirements, there remained a number of licensees who failed to comply. Consequently, on 22 September 2009, the Commission, in accordance with subsection 16.4(1) of the Act, sent by registered mail a notice of intent to revoke the BITS licences of those licensees that had failed to comply with their conditions of licence. The licensees were given until 4 October 2009 to file the required information with the Commission or make representations by the same date as to why they should not be required to comply with the conditions of licence.
4. Nineteen companies have failed to file the required information or make representations. The Commission, pursuant to subsection 16.4(1) of the Act, is therefore **revoking** the licences of the companies listed in the Appendix.
5. The Commission notes that any person providing BITS in Canada without a licence from the Commission may be found guilty of an offence punishable on a summary conviction under subsection 73(1) of the Act, which provides as follows:

73. (1) Every person who contravenes subsection 16(4) or 16.1(1) or (2) or section 17 is guilty of an offence punishable on summary conviction and liable

¹ In Telecom Decision 2008-70, the Commission noted that the conditions of licence for Class A and B licences are identical, and undertook to merge the two classes.

(a) in the case of an individual, to a fine not exceeding fifty thousand dollars for a first offence, or one hundred thousand dollars for a subsequent offence; or

(b) in the case of a corporation, to a fine not exceeding five hundred thousand dollars for a first offence, or one million dollars for a subsequent offence.

Secretary General

Related documents

- *Review of the basic international telecommunications services licensing regime*, Telecom Decision CRTC 2008-70, 11 August 2008
- *Basic international telecommunications services (BITS) licensing regime – Amendments*, Telecom Circular CRTC 2005-8, 23 June 2005
- *Telecommunications industry data collection: updating of CRTC registration lists, telecommunications fees, Canadian revenue-based contribution regime, international licences and monitoring of the Canadian telecommunications industry*, Telecom Circular CRTC 2005-4, 9 February 2005
- *Telecommunications industry data collection: updating of CRTC registration lists, telecommunications fees, Canadian contribution mechanism fund administration, international licences and monitoring of the Canadian telecommunications industry*, Telecom Circular CRTC 2003-1, 11 December 2003
- *Regulatory regime for the provision of international telecommunications services*, Telecom Decision CRTC 98-17, 1 October 1998

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