

GOVERNMENT OF THE REPUBLIC OF VANUATU

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BUREAU DU PREMIER MINISTRE
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Advertisement for the Position of the TELECOMMUNICATIONS, RADIOCOMMUNICATIONS AND BROADCASTING REGULATOR

The Government of Vanuatu through the Ministry of Telecommunications and Information Communications Technology and under the Telecommunications, Radiocommunications and Broadcasting Regulations Act No. 30 of 2009 (As amended) (Act) wishes to advertise for the position of the Regulator within the Telecommunications, Radiocommunications and Broadcasting Regulator or formerly known as TRR.

The Telecommunications, ICT and Broadcasting portfolio is currently under the Prime Minister's Office (PMO) and, as such, the Prime Minister is the 'Minister responsible for Telecommunications' and as per the Act, He will appoint the Regulator based on the recommendation of an evaluation committee. The current Regulator will end her tenure on 2nd December 2018 and the Government, through the Office of the Government Chief Information Officer, under the Ministry of Telecommunications and ICT, wishes to recruit a new Regulator in accordance with the Act to be appointed by the respective Minister which is the Prime Minister.

Scope of Work

In this role, he or she is to:

The Scope of work for the post includes the elements below.

2.1 The General functions and powers of the Regulator under Section 7 of the Act as provided are:

- (1) Overall, to regulate telecommunications and radiocommunications.
- (2) Without limiting the generality of subsection (1):
 - (a) advise the Minister as to:
 - (i) policy; and
 - (ii) making of regulations; and
 - (iii) such other matters as the Minister may request; and
 - (b) implement, facilitate and enforce the provisions of this Act; and
 - (c) grant, suspend, vary and revoke licenses and exceptions for which this Act provides; and
 - (d) allocate telephone number blocks and other telecommunication system numbers as administered by the ITU;
 - (e) allocate, assign and manage the radio spectrum;
 - (f) update telecommunications policies in line with developments in the industry and international best practices;
 - (g) consult with stakeholders and recommend to the Government policy options in the area of legislation and fiscal incentives; and
 - (h) support Government in its work on international agreements related to telecommunications.
- (3) The Regulator may, with the approval of the Minister, make such regulations as may be necessary or convenient to give effect to the provisions of this Act.
- (4) Without limiting the generality of subsection (3), may make regulations:
 - (a) prescribing standard terms in various licenses and exemptions; or
 - (b) prescribing procedures, forms and fees in respect of any license or exception or anything which might be done by any person under this Act, except the provision of reasons for any decision by the Regulator; or
 - (c) providing for the methodology by which any calculation required to be made under this Act is to be made; or
 - (d) establishing and managing a national numbering plan and allocating blocks of numbers in accordance therewith; or
 - (e) for the management and administration (including the exclusive management and administration) of country code top level domain names for Vanuatu and domain name registration for Vanuatu; or
 - (f) imposing restrictions or limitations upon the importation, sale or use of any equipment used or likely to be used in connection with radiocommunications or telecommunications; or
 - (g) prescribing the type of information required to be included in invoices for customers; or
 - (h) imposing restrictions or limitations upon the use or disclosure of various types of personal end-user information; or

- (i) requiring a service provider to introduce and facilitate number portability; or
- (j) requiring licensees individually or by class, to keep and retain records and as to the nature and form thereof; or
- (k) requiring a service provider to introduce and facilitate selection or pre-selection of service providers, being a telecommunications service provided by a service provider to another service provider which:
 - (i) in the case of service provider selection, requires a call made by an end user of the first service provider with one of the second service provider's toll access codes prefixed to be delivered to the second service provider; and
 - (ii) in the case of service provider pre-selection, requires one of the second service provider's toll access codes being automatically prefixed to a call made by an end user of the first service provider and the delivery of that call to the second service provider.

- (5) Implementation of the broadcasting regulatory function.
- (6) Management of the updated Universal Access Policy and its respective Fund.
- (7) High level guidance, management and oversight of the Licensing regime.
- (8) Other duties of the Regulator.
- (9) Regulate competition with fairness and integrity.
- (10) Monitor and regulate tariff and pricing.
- (11) Oversee compliance.
- (12) Other Key Requirements.

Qualifications and Experience

The Regulator must have the following experience and qualifications, or an acceptable combination of the following or its equivalent:

- (1) At least 8 years' relevant work experience in a regulatory environment, ideally in the Telecommunications, ICT and broadcasting industry.
- (2) Has at least some postgraduate degree.
- (3) Have an undergraduate degree in Law, Economics and or Management.
- (4) High level knowledge of the national policies relating to the telecommunications, ICT and broadcasting sector.
- (5) A relevant tertiary qualification from a recognized institution on telecommunications, law, economic or other relevant fields, relevant operational qualification combined with experience;
- (6) Must be fully trustworthy, independent of any outside influence, of exemplary character and display exemplary conduct, and have no record of inappropriate or fraudulent behavior;
- (7) Proven experience in the development of a regulatory instruments that encourage consumer protection, provide consumer awareness and support mechanisms, as well as facilitate telecommunications investment and competition;
- (8) Demonstrated high-level management and analytical skills in decision making and delivery;
- (9) Sound understanding and experience in the technical aspects of telecommunications and radiocommunications, and in regulation of that sector;
- (10) Ensuring full confidentiality can be maintained and the integrity of TRR is preserved.
- (11) Demonstrable, excellent representation, verbal, written and presentation, communication, and reporting skills;
- (12) Demonstrated experience and ability to work in a high-level, fast paced and ever changing environment, whilst ensuring that all objectives and desired-outcomes are achieved – on time

and with high quality;
(13) Possess the skill-sets, experience and confidence to provide sound and appropriate advice and guidance to high level Government officials, including matters that may progress to policy and regulation development.

(14) The Regulator must possess demonstrable high-level corporate governance risk management knowledge, experience and skill-sets including sound financial management and experience.

(15) Bonus knowledge in French language as a required national language under the Constitution of Vanuatu.

Consideration may be given to experienced senior level Managers/Executives that have skill-sets in an equivalent sector and have demonstrated ability to transfer knowledge and skills to the telecoms sector and to administer the Act and related laws and regulation governing the sector.

Desirable Expertise

Other desirable skill-sets necessary to fulfil the role of the Regulator include:

- (1) Detailed knowledge of the role of Regulator and the responsibilities of the post;
- (2) Detailed knowledge in law in relation to telecommunications, ICTs and broadcasting, policies and competition, economics in the telecommunications, ICT and broadcasting sector.
- (3) Familiarity with the regional and international environment of telecoms regulation;
- (4) Sound and demonstrable knowledge of the telecoms market, telecoms operators and service suppliers in Vanuatu; and an
- (5) Understanding the role and needs of consumers and users of telecoms services and products.
- (6) Expertise to develop the regulatory environment of telecommunications, ICTs and broadcasting to address rapid technological changes.
- (7) Able to assist Government in its national telecommunications, ICTs and media policies.
- (8) Expertise to develop regulations to boost ICT adoption to enable growth, keep ICT prices low for high demand and support other enabling factors.
- (9) Knowledge in public administration and management is highly favorable for this position.
- (10) French or Bislama language skills and a driver's license would be of benefit.

Remuneration and Appointment

The position and appointment of the Regulator is for a 3-year term as provided for in, and under the conditions of the Act with a possibility of an extension. The requirement of the Employment Act [Cap 160] will also apply to the position of the Regulator and as well as the employment policies of the office of TRBR.

An attractive Remuneration Package will be negotiated with the successful applicant. It will be commensurate with the experience and qualities of the selected applicant, and will reflect current levels for similar senior executive/management positions in the marketplace.

How to Apply

Interested persons should contact the Office of the Government Chief Information Officer (OGCIO) on 33380 for a detailed Terms of Reference (TOR) on this particular vacancy. Applications must be submitted and labelled "Private & Confidential - Application for the Telecommunications, Radiocommunications and Broadcasting Regulator". Application must be made to the Chief Information Officer at the OGCI to by no later than 4:30pm on 31st of October 2018.