

*Telecommunications (Gogo LLC) (Exemption) Order*

## SAINT LUCIA

STATUTORY INSTRUMENT, 2016, No. 96

[ 21st November, 2016 ]

In the exercise of the power conferred under section 5(2) and (4) of the Telecommunications Act, Cap.8.11, the Minister responsible for telecommunications makes this Order:

### **Citation**

1. This Order may be cited as the Telecommunications (Gogo LLC) (Exemption) Order, 2016.

### **Interpretation**

2. In this Order —

“Act” means the Telecommunications Act, Cap.8.11;

“company” means Gogo LLC of 1250 N Arlington Heights Road, Itasca, IL 60143, USA;

“Eastern Caribbean Civil Aviation Authority” means the Authority established by Article 3 of the Agreement establishing the Eastern Caribbean Civil Aviation Authority made on the 21<sup>st</sup> day of October, 2003.

### **Exemption**

3. Subject to section 4, the company is exempted from the requirement to obtain an Individual Licence, Class Licence or Frequency Authorisation as an aeronautical mobile satellite service provider.

### **Conditions**

4.—(1) The exemption under section 3 is subject to the following conditions —

- (a) that the company registers with the Commission before providing an aeronautical mobile satellite service;
- (b) that the company has and maintains a contact number that is readily available;

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- (c) that the company provides, on the request of the Commission or a duly authorised officer of the Commission, access for inspection and testing of apparatus used for the provision of an aeronautical mobile satellite service;
- (d) that the company complies with any direction given by the Commission for avoiding interference with other telecommunications apparatus or any licensed telecommunications network;
- (e) that the company does not use the apparatus in a manner that would cause harmful interference with other telecommunications apparatus or any licensed telecommunications network;
- (f) that the company does not violate any existing policy, code or international standard governing the use of aeronautical or maritime mobile satellite services;
- (g) that the company provides evidence that the installation and operation of the apparatus used for the provision of the aeronautical or maritime mobile satellite service is certified by the State in which the aircraft, aeroplane or ship is registered.
- (h) that unless specifically authorised by the Eastern Caribbean Civil Aviation Authority or any other authority responsible for civil aviation, the company shall not provide an aeronautical or maritime mobile satellite service when an aircraft or aeroplane is —
  - (i) below 7000ft. altitude,
  - (ii) taking off or during take-off,
  - (iii) in its initial climb out,
  - (iv) in its final approach position, or
  - (v) landing or taxiing; and
- (i) that the company ensures that transmissions from apparatus shall automatically be terminated on the loss or significant degradation of the downlink signal from the relevant geostationary satellite.

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(2) For the purposes of subsection (1)(c), (d), (e), (f) and (g), the company shall register with the Commission, prior to the provision of any service in Saint Lucia and provide the following information and documents to complete the registration process —

- (a) the name, email address, telephone number, fax number and location of the business place;
- (b) the type of telecommunications services that the company wishes to offer;
- (c) the area where the telecommunications service will be provided;
- (d) the type of customers that the company intends to serve;
- (e) the type of equipment for use in providing the telecommunications service;
- (f) a certified copy of the Certificate of Incorporation for the company; and
- (g) a certified copy of the Certificate of Good Standing for the company.

Made this 10<sup>th</sup> day of November, 2016.

GUY JOSEPH,  
*Minister responsible for telecommunications.*

