



## **Rules of Procedure for the switch-over of Cable Television Subscribers**

འབྲུག་བཅད་དོན་བརྒྱུད་འབྲེལ་དང་བཅད་བརྒྱུད་དབང་འཛིན།

**Bhutan Infocomm and Media Authority**

**Royal Government of Bhutan**

**Thimphu, Bhutan**

## **Contents**

Bhutan Infocomm and Media Authority .....	1
1. Preliminary .....	1
1.1 Legal basis.....	1
1.2. Title and Commencement.....	1
1.3. Scope of Application.....	1
1.4. Amendment .....	1
1.5. Definitions.....	1
2. Procedure for switching over of consumers into its cable network .....	2
2.1 Obligation of the recipient operator .....	2
2.2 Obligation of the Incumbent Operator .....	2
3. Sharing of Infrastructure .....	3
4. Provision related to the contravention of this Rule of Procedure .....	3
Annexure A: Format for seeking information from the Incumbent operator.....	4
Annexure B: Format of the information to be provided by Incumbent Operator.....	5

# 1. Preliminary

## 1.1 Legal basis

In accordance with Section 51(5)(11) of the Information, Communications and Media Act of Bhutan 2018 (“the Act”), the Bhutan Infocomm and Media Authority (“the Authority”) hereby issues this Rules of Procedure for the switch-over of Cable Television Subscribers

## 1.2. Title and Commencement

This standard shall be called as the Rules of Procedure for the switch-over of Cable Television Subscribers and shall come into force on the 8th Day of the Month June, 2018 corresponding to the 24th Day of the 4th Month of the Bhutanese Earth Male Dog Year.

## 1.3. Scope of Application

This Rules of Procedure shall be applicable to those cable television operators operating in a designated area of operation with more than one operator. This Rule shall facilitate to promote the consumers’ right for the choice of service they avail.

## 1.4. Amendment

Amendment to this Standard shall be made according to the change in technologies, national priorities, policies and industry trends.

## 1.5. Definitions

Unless the context otherwise requires, the following words and terms used in this Standard shall have the following meanings assigned to them:

“**Consumer**” means cable television subscriber who have subscribed for service with a particular cable operator

“**Incumbent Operator**” means the current cable operator who is providing cable television services to the subscriber.

“**Recipient operator**” means the cable operator to whom the subscriber wants to switch over from his/her current operator.

“**Switch-in**” means the cable subscriber who plans to switch from the current the cable service operator to another.

“**Switch- Over**” means change in service from one operator to another.

## **2. Procedure for switching over of consumers into its cable network**

### **2.1 Obligation of the recipient operator**

2.1.1 When the request for change in switch-in is received from the consumer, the recipient operator shall ensure to follow the procedure mentioned below.

- a) Confirm with the incumbent operator from whom the consumer plans to switch over and sent the request for switch-in of the consumer into its network. The request shall include seeking information for any infrastructural investment made or any dues payable by the consumer to the Incumbent operator in the format prescribed by the Authority. The format can be found in Annexure A of this Rule.
- b) Ensure that the consumer is provided with connection only on either obtaining proof of dues payment or clearance stating there are no dues to be paid to the incumbent operator.
- c) Deny services, in the event if the customer fails to produce the proof of payment for dues payable to his incumbent operator.
- d) Provide its services within two days after the receipt of the request from the consumer after signing formal contract agreement with the consumer, provided all formalities are completed.
- e) Maintain a record of customers who have switched into its network. This record shall be submitted to the Authority when directed to do so.

2.1.2 The recipient operator shall not accept any request for switch-in from any consumer outside its jurisdiction of the area for operation.

### **2.2 Obligation of the Incumbent Operator**

2.2.1 Once a request is received from the recipient operator, the incumbent operator shall ensure to:

- a) Verify and accordingly provide the information on the dues payment if any within two days of the receipt of the request.
- b) Share a copy of the copy of the receipt of the payment along with the no-objection certificate to the recipient operator as soon as the consumer clears the due payment if any within two days.

- c) Facilitate the process consumer's switching without imposing any hindrance and inconvenience to the consumer.

### **3. Sharing of Infrastructure**

3.1 In the event of a need to share infrastructure, the parties concern shall abide with the Rules on Infrastructure sharing.

### **4. Provision related to the contravention of this Rule of Procedure**

4.1 Any cable operators failing to abide with this Rule of Procedure shall be penalised as per the provision of the Information, Communications and Media Act of Bhutan 2018 and any other Rules, Regulations, Directives issued by the Authority.

**Annexure A: Format for seeking information from the Incumbent operator**

<b>Name of the Recipient Operator</b>				
<b>Name of the Incumbent Operator</b>				
<b>Date of request:</b>				
<b>Details</b>				
1	<b>Name of the consumer</b>			
2	<b>Details of the consumer</b>			
2.1	Location			
2.2	Name of the building/ House/ Owner			
2.3	Flat no:			
2.4	Contact number			
3	<b>Dues</b>	<b>Yes</b>	<b>No</b>	<b>Amount</b>
3.1	Rental			
3.2	Use of internal fibre/wire			
3.3	Use of other accessories			
	TOTAL			

**Signature of the recipient operator**

**Date:**

**Annexure B: Format of the information to be provided by Incumbent Operator**

<b>Name of the Incumbent Operator</b>				
<b>Name of the Recipient Operator</b>				
<b>Date :</b>				
<b>Details</b>				
1	<b>Name of the consumer</b>			
2	<b>Details of the consumer</b>			
2.1	Location			
2.2	Name of the building/ House/ Owner			
2.3	Flat no:			
2.4	Contact number			
3	<b>Payment</b>	<b>Yes</b>	<b>No</b>	<b>Amount</b>
3.1	Dues (Please tick)			
3.2	Use of internal fibre/wire			
3.3	Use of other accessories			
<b>TOTAL</b>				
Remark, if any				

**Signature of the recipient operator**

**Date:**