

TELECOMMUNICATIONS ACT 2009

(No. 20 of 2009)

TELECOMMUNICATIONS (BEMOBILE CHANGE OF CONTROL) AMENDMENT ADMINISTRATIVE ORDER 2013

(TCSI Order No.03 of 2013)

Explanatory note

(This note is not part of the Order, but is intended to indicate its general effect.)

This amendment administrative order of the Telecommunications Commission approves a change in ownership in relation to Bemobile Solomon Islands Limited, the holder of a telecommunications services individual licence. It amends the approval effected by TCSI Order No. 01 of 2013 on 4 June 2013, so that FNPF Holdings (PNG) Limited, is no longer amongst the shareholders in the approved capital structure.

IN exercise of the powers conferred upon it by subsection (3) of section 43 of the Telecommunications Act 2009 the Telecommunications Commission makes the following administrative order:

1. CITATION AND COMMENCEMENT

- 1.1 This Order may be cited as the Telecommunications (Bemobile Change of Control) Amendment Administrative Order 2013 *(TCSI Order No.03 of 2013)*.
- 1.2 This Order commences on the date it is published in the *Gazette*, and the terms and conditions, and other provisions for the individual licence to which it relates, remain in full force and effect until the date appointed for their amendment or revocation.

2. DEFINITIONS AND INTERPRETATION

2.1 In this Order:

“**Act**” means the Telecommunication Act 2009, (No. 20 of 2009);

“**Commission**” means the Telecommunications Commission established under section 6 of the Act.

- 2.2 Subject to subsection (1), words and expressions which appear in this Order, and which also appear in the Act, have the meaning ascribed to them by the Act.

3. AMENDMENT OF APPROVAL OF CHANGE OF CONTROL

3.1 The Telecommunications (Bemobile Change of Control) Administrative Order 2013 is amended by revoking clause 3.1 and substituting the following clause:

“The Commission approves the transfer of control of Bemobile Limited, the company which owns all the share capital of Bemobile Solomon Islands Limited, whereby Bemobile Limited's share capital shall be held as follows:

- (a) Independent Business Corporation of Papua New Guinea, 1,257,047,688 ordinary shares (85%);
- (b) Capital Way Holdings Limited 197,510,106 ordinary shares (13.36%); and
- (c) Asian Development Bank 24,321,839 ordinary shares (1.64%).”

MADE at HONIARA this 30th day of September 2013.



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Bernard M Hill,
Telecommunications Commissioner