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Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity
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Ministry of Post and Telecommunication

No. 107/MPT  
Vientiane Capital, 25 Jan 2016

## **Decision on Interconnection of Telecommunication Network**

- Pursuant to the Law on Telecommunication (amended version) No. 09/NA, dated 21 December 2011.
- Pursuant to the Prime Minister's Decree No. 303/PM, dated 26 September 2011 regarding the establishment and activities of the Ministry of Post and Telecommunication.

**The Minister of Post and Telecommunication Issues a Decision as follows:**

### **Chapter 1 General Provision**

#### **Article 1. Objective**

This Decision determines the principles, regulations and measures regarding the management, monitoring, and inspection of activities related to the interconnection of telecommunication network to ensure the uniformity, convenience, safety, with high efficiency and effectiveness aiming at enabling the equality of interconnection between service providers and to become a centralized telecommunication system at the National Internet Center that contributes to the national socio-economic development.

#### **Article 2. Interconnection of Telecommunication Network**

The interconnection of telecommunication network is the interconnection of telecommunication networks between two or several telecommunication service providers to enable the telecommunication service users in different network to connect and communicate conveniently.

#### **Article 3. Definitions of Terms**

The terms used in this Decision shall have the meanings as follows:

1. **Telecommunication Service Provider** refers to a company that was granted authorization to operate business related to telecommunication service, including service provider for internet, information center, telephone, short message and other telecommunication services;
2. **Centralized Communication System** refers to the interconnection between domestic and international telecommunication networks at the National Internet Center;
3. **Fee Rate of Interconnection of Telecommunication Network** refers to service charge for interconnection of telecommunication network between telecommunication service providers as determined by the Ministry of Post and Telecommunication;
4. **Transit Rate** refers to a rate of service charge for the connection through the National Internet Center for the interconnection of telecommunication networks between two or

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more telecommunication service providers as determined by the Ministry of Post and Telecommunication.

5. **National Internet Center or NIC** is a state organization with ministry equivalent and is under the management of the Ministry of Post and Telecommunication.

## **Article 4.    Scope of Use**

This Decision is applied for all telecommunication service providers and the National Internet Center of the Lao PDR.

## **Chapter 2**

### **Regulations on Interconnection of Telecommunication Network**

## **Article 5.    Principles on Interconnection of Telecommunication Network**

The interconnection of telecommunication network shall comply with the following principles:

1. To guarantee the centralized telecommunication system;
2. To guarantee the quality of interconnection of telecommunication network;
3. To guarantee the interconnection technique of all telecommunication networks;
4. To guarantee the equality in terms of price, quantity and non-discriminated implementation;
5. Internet service provider shall see more details for internet connection in a Decision on Permission for Conducting Internet Service Related Business.

## **Article 6.    Setting Rate of Telecommunication Network Interconnection**

The Ministry of Post and Telecommunication is in charge of determining the interconnection rate between domestic and international telecommunication network in each period.

The interconnection rate is specified in specific regulation of the Ministry of Post and Telecommunication.

The rate of telecommunication network interconnection and the rate for transit through the National Internet Center shall be exempted in a special case such as: the national defense and security task, emergencies related task, task related to deterring and alleviating the loss from disaster and other major tasks at national level, without obtaining any authorization and consent from the Ministry of Post and Telecommunication.

## **Article 7.    Seeking Authorization for Telecommunication Network Interconnection**

Telecommunication service provider who wishes to interconnect his telecommunication network with the telecommunication network of other service providers shall obtain an authorization and approval from the Ministry of Post and Telecommunication by submitting the application form issued by the Ministry of Post and Telecommunication.

## **Article 8.    Application Requirement for Telecommunication Network Interconnection**

Main requirement to grant permission for telecommunication network interconnection are as follows:

1. Be a telecommunication service provider;
2. Have a technical standard system that can be connected with the National Internet Center;

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3. Provide services without contradiction with the laws and regulations issued by the Ministry of Post and Telecommunication;
4. Other requirements.

## **Article 9.    Consideration of Application**

The Ministry of Post and Telecommunication shall consider granting authorization to the person who submits an application for interconnection of telecommunication network within seven business days, starting from the date receiving correct and complete application form and meet with the given requirement onward.

In case of discovering that the documents are incorrect, incomplete and unqualified, a written notice shall be made as to inform the applicant about the reason within five business days.

## **Chapter 4**

### **Rights and Obligations of Telecommunication Network Interconnection Applicant and Service Provider**

#### **Article 10.    Rights of Telecommunication Network Interconnection Service Provider**

The telecommunication network interconnection service provider has the rights as follows:

1. Propose interconnection rate which comply with the social-economic situation in each period to the Ministry of Post and Telecommunication for consideration;
2. Conclude a contract with the applicant of telecommunication network interconnection;
3. Collect the fee rate for telecommunication network interconnection from network connector.
4. Propose the Ministry of Post and Telecommunication to postpone the interconnection temporarily or permanently by the applicant of telecommunication network interconnection in the event of any failure to comply with the contract or relevant laws and regulations;
5. Close immediately in case that the telecommunication network interconnection has an effect to the national security;
6. Determine, monitor and inspect technical standard and interconnection quality of the local and foreign applicant of the telecommunication network interconnection;
7. Exercise such other rights as specified in the laws and regulations.

#### **Article 11.    Obligation of Telecommunication Network Interconnection Service Provider**

The telecommunication network interconnection service provider has obligations as follows:

1. Provide the service related to telecommunication network interconnection based on the requirement stated in the contract;
2. Provide the information on the interconnection to the applicant of telecommunication network interconnection;
3. Guarantee in term of technique of the telecommunication network interconnection to have quantity and quality that meet the international standard;
4. Strictly implement the interconnection contract and specifically guarantee the interconnection for the national defense-security tasks;
5. Perform other obligations as specified in the laws and regulations.

#### **Article 12.    Rights of Telecommunication Network Interconnection Applicant**

Applicant of telecommunication network interconnection has the rights as follows:

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1. Asking for interconnection with the telecommunication network interconnection service provider;
2. Present the information related to the interconnection;
3. Propose the telecommunication network interconnection service provider or relevant sectors to amend any contracts and regulations that are considered inconsistent;
4. Exercise such other rights as provided in the laws and regulations.

## **Article 13. Obligations of Telecommunication Network Interconnection Applicant**

Applicant of telecommunication network interconnection has obligations as follows:

1. Strictly comply with an authorization for telecommunication network interconnection;
2. Perform technical standard in the interconnection of telecommunication network precisely and fully in accordance with the international standard;
3. Pay the interconnection fee rate for telecommunication network;
4. Supply plan and requirement regarding the telecommunication network interconnection;
5. Declare its own technical plan in details and attach them with the interconnection application form;
6. Guarantee the principles, telecommunication centralized system through the National Internet Center;
7. Exercise other obligations as specified in the laws and regulations.

## **Chapter 5 Remedy of Force Majeure**

### **Article 14. Remedy of Force Majeure**

In case of force majeure, such as natural disaster or technical hindrance which enables the interconnection, the applicant of telecommunication network interconnection can immediately use its own interconnection route together with the national defense and security tasks.

### **Article 15. Reaction to Force Majeure**

After the applicant of telecommunication network interconnection use his own interconnection route in case of force majeure, he must report in written to the Ministry of Post and Telecommunication for their acknowledgement within the period of twenty four hours.

## **Chapter 6 Telecommunication Network Interconnection Contract**

### **Article 16. Telecommunication Network Interconnection Contract between Telecommunication Service Providers and the National Internet Center**

Telecommunication service provider must conclude a telecommunication network interconnection contract with the National Internet Center under the Law of the Lao PDR without any contradiction with relevant laws;

### **Article 17. Telecommunication Network Interconnection Contract between Telecommunication Service Providers**

The telecommunication network interconnection contract shall be concluded as follows:

1. Contract on network interconnection between telecommunication service providers shall require the participation of the Ministry of Post and Telecommunication as a witness and

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- the interconnection contract shall be enforceable within thirty days after being signed by all parties;
2. Any telecommunication service providers who wish to apply for network interconnection shall be responsible for all expenditures necessary for the operation.
  3. Telecommunication service provider shall declare the coordinator and declare related information;
  4. The Ministry of Post and Telecommunication shall be informed in each period and whenever the change is made within the period of 5 business days.

## **Chapter 7 Prohibition**

### **Article 18. Prohibition for Telecommunication Network Interconnection Service Provider**

The telecommunication network interconnection service provider shall be prohibited from the following behaviors:

1. Disclose confidential information to other persons or parties without permission from the telecommunication interconnection applicant (except for the task related to national defense-security which obtain the approval from the Ministry of Post and Telecommunication);
2. Increase or reduce the interconnection rate without authorization;
3. Change the information about the service at starting point.

### **Article 19. Prohibition for Telecommunication Network Interconnection Applicant**

The telecommunication network interconnection applicant shall be prohibited from the following behaviors:

1. Perform domestic and international interconnection without passing through the telecommunication centralized system;
2. Conclude joint contract on network interconnection without authorization;
3. Fail to cooperate with the Ministry of Post and Telecommunication and postpone the interconnection time unreasonably.

## **Chapter 8 Policy towards Persons with Good Performance and Measures against Violator**

### **Article 20. Policy toward Persons with Good Performance**

Telecommunication service provider who has outstanding performance in the implementation of Decision shall receive compliment and awarding policy in accordance with the regulation.

### **Article 21. Measures against Violator**

Telecommunication service provider who violates this Decision shall be subject to re-education, disciplinary sanction, fine or prosecution based on the seriousness of the case in accordance with the relevant laws and regulations.

## **Chapter 9 Final Provision**

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## **Article 22. Implementation**

The telecommunication adjusting committee is assigned to take responsibility in coordinating with other relevant parties to implement this Decision.

## **Article 23. Effectiveness**

This Decision shall be effective from the date it is signed and after being posted in an official gazette for fifteen days.

**Acting Minister**

[Signature and seal]

Hiam Phommachanh