

Regulations legislation and reorganization plan of National Communications Commission for 2019

The legislative plan of the NCC for 2019 includes 4 statutes, 29 regulations, and 4 administrative rules

I. Titles and summary of amendment points for the 4 Statutes

	Titles	Summary of Modifications
1-3	Radio and Television Act, Cable Radio and Television Act, and Satellite Broadcasting Act. (Modification)	<ol style="list-style-type: none"> 1. Facilitate cross-platform development and harmonize regulatory measures. 2. Increase operation flexibility and channel efforts for digital transformation. 3. Relax structural control and introduce regulations for competition.
4	Act on Preservation of Variety of Media and Antitrust (New)	<ol style="list-style-type: none"> 1. Devise self-regulatory systems to enhance and preserve professionalism and self-governance, and establish awards and subsidies to facilitate development of multicultural industries. 2. Introduces media into regulatory scope of competition laws in order to prevent unfair competition. 3. Standardize review of mergers of media businesses: establish point where mergers will be forbidden, and applications for merger that do not cross such point will be reviewed by review standard of "Public Interest".

II. Titles and summary of amendment points for the 29 Regulations

Titles	Summary of Modifications	Titles
1.	Fee-Charging Standards for the Cable Radio And Television System Operators (Modification)	<ol style="list-style-type: none"> 1. Systems operators shall provide at least 2 sets of basic channels with high-definition or ultra-high-definition for subscription. 2. The first set of channels shall include channels required under laws, and its price cap shall be NTD 200, and the second set of channels in principle shall be the set approved by the competent authority with the most subscribers in previous year, and its price cap shall be NTD 600. System operators may provide

		<p>more sets of basic channels for subscription, and the price cap of such sets of basic shall be NTD 600.</p> <p>3. Conditional relaxing of NTD 600 price cap that has been implemented for many years provides economic incentives for broadcasting high quality channels and may facilitate development of industries.</p> <p>4. Channel operators and system operators may set up subscription prices of sets of channels or single channel to be selected by subscribers after negotiating and concluding license conditions.</p>
2.	Regulations for Administration of Mobile Broadband Businesses (Modification)	Plan amendments and modify regulations relevant to available bands, bidding methods and effective term of license, etc; in accordance with announced Modification of Regulations Governing Operating Items and Scope, the Timetable for Deregulation and the Number of Operators to Be Allowed for Type I Telecommunication Enterprises will be amended and announced.
3.	Regulations Governing Building Telecommunications Equipment and Space Appliance Using (Modification)	<p>1. Clearly prescribe regulations relevant to constructors, and equipment and the space provided by owners when cable radio and TV system operators install their system into buildings-</p> <p>2. Moderately integrate wiring and space used by fiber optic cables and coaxial cables.</p> <p>3. Modify inappropriate regulations.</p>
4.	Building Telecommunications Equipment Technical Specifications (Modification)	<p>1. Clearly prescribe regulations relevant to constructors, and equipment and space provided by owners when cable radio and TV system operators install systems into buildings-</p> <p>2. Moderately integrate wiring and space used by fiber optic cables and coaxial cables.</p> <p>3. Modify inappropriate regulations.</p>
5.	Administrative Regulations on the Establishment of Radio and TV Broadcast Stations (Modification)	<p>1. With regards to information security management and safety control, in order to protect security of broadcasting TV network, thereby improving stability of broadcasting TV system operators, propose additional regulations relevant to information security and risk control similar to Information Security Chapter of Regulations for Administration on Fixed Network Telecommunications Businesses.</p> <p>2. Add general regulations concerning information and telecommunications security.</p> <p>3. Add restrictions on outsourcing of information</p>

		<p>software design, system maintenance or test procedures.</p> <p>4. Add procedural regulation regarding safety management of equipment rooms.</p>
6.	Rules for the Technical Engineering of Cable Radio and Television Systems (Modification)	<p>1. With regards to information security management and safety control, in order to protect security of broadcasting TV network, thereby improving stability of broadcasting TV system operators, propose additional regulations relevant to information security and risk control similar to Information Security Chapter of Regulations for Administration on Fixed Network Telecommunications Businesses.</p> <p>2. Add general regulations concerning information and telecommunications security.</p> <p>3. Add restrictions on outsourcing of information software design, system maintenance or test procedures.</p> <p>4. Add procedural regulation about safety management of equipment rooms.</p>
7.	Administrative Rules on the Establishment of Earth Stations by Satellite Broadcasters (Modification)	<p>1. With regards to information security management and safety control, in order to protect security of broadcasting TV network, thereby improving stability of broadcasting TV system operators, propose additional regulations relevant to information security and risk control similar to Information Security Chapter of Regulations for Administration on Fixed Network Telecommunications Businesses.</p> <p>2. Add general regulations concerning information and telecommunication security.</p> <p>3. Add restrictions on outsourcing of information software design, system maintenance or test procedures.</p> <p>4. Add procedural regulation about safety management of equipment rooms.</p>
8.	Regulations Governing Building telecommunications equipment examination and inspection institution (Modification)	<p>1. Moderately relax qualification restrictions on persons in charge of conducting reviews, thereby increasing incentives to apply to serve as inspection institutions and capability of inspection service so as to meet heavier demand after addition of telecommunications equipment required to install in buildings.</p> <p>2. Modify inappropriate regulations.</p>
9.	Technical Directions for Inspection of Mobile Telecommunication Business System	Due to Regulations Governing Expiration of 2G Business Service and Management of Relevant Matters, implement abolishment procedures.

	(Abolished)	
10.	Technical Directions for Inspection of Third Generation Mobile Communications Business (Abolished)	Due to the expiration of 3G service on December 31, 2018, implement abolishment procedures.
11.	Notices on items which station licenses are not required (Modification)	To encourage telecommunication enterprises to improve quality of mobile telecommunication signals inside tunnels and in consideration that radio waves emitted in tunnels do not disturb radio wave outside tunnels, include fiber repeaters in items which station licenses are waived by reference to Point 4 of Notices on items which station licenses are not required; in addition, Paragraph 3 of Point 1 to be added accordingly.
12.	Technical Directions for 1900MHz Digital Low-power Wireless Telephone Business (Abolished)	Due to the expiration of PHS Telecommunication Business Service and Management of Relevant Matters, implement abolishment procedures.
13.	Standard of Fees Charged on Building Telecommunications Equipment and Space Appliance Using (Modification)	Announce modifications on Regulations Governing Building Telecommunications Equipment and Space Appliance Using and Technical Specifications for Installation of the Telecommunications Facilities Inside/Outside the Buildings. Clear stipulate regulations on the installation of systems into buildings by cable radio and TV system enterprises in order to provide radio and TV services. Consequently, modify relevant fee standards.
14.	<p>To comply with Articles 1 and 4 of Cyber Security Management Act, and in order to in order to protect security of domestic key infrastructure facilities, add national security considerations for approval of application to establish telecommunication equipments.</p> <p>(1) Regulations for Administration on Satellite Communication Services (Modification)</p> <p>(2) Regulation for</p>	With view to protecting security of domestic key infrastructure facilities, include national security considerations for approval of applications to set up telecommunication equipment.

	Administration of Installation of Microwave Radio Station of Type I Telecommunications Businesses (Modification) (3) Regulations for Administration on Type II Telecommunications Businesses (Modification) (4) Administrative Regulations on the Establishment of Radio and TV Broadcast Stations (Modification) (5) Administrative Regulations on the Establishment and Use of Wireless Broadcasting Station for School Training (Modification) (6) Administrative Rules on Radio and Television Broadcasters' establishment of Earth Stations (Modification) (7) Administrative Rules on the Establishment of Earth Stations by Satellite Broadcasters (Modification) (8) Regulations Governing	
--	---	--

	<p>Application for Establishment of Cable Radio and TV (Modification)</p> <p>(9) Rules for the Technical Engineering of Cable Radio and Television Systems (Modification)</p> <p>(10) Administrative Rules on Radio and Television Broadcasters' Establishment of Microwave Stations (Modification)</p>	
15.	Regulations for Administration of 1900MHz Digital Low-Power Wireless Telephone Business (Abolished)	The Executive Yuan announced on April 18, 2017, service of this business shall be terminated on December 31, 2018.
16.	Regulations for Administration of the Third Generation Mobile Communications Business (Abolished)	Article 48 of Regulations for Administration of the Third Generation Mobile Communications Business prescribes that the valid duration of the concession license expires on December 31, 2018, after which the license loses its validity.
17.	Regulations Governing Network Interconnection among Telecommunications Enterprises (Modification)	Due to the termination of 3G service of on December 31, 2018, modify relevant regulations.
18.	Regulations Governing Number Portability (Modification)	Due to the termination of 3G service of on December 31, 2018, modify relevant regulations. .
19.	Charge Standards of Utilization Fee of Radio Frequency (Modification)	<ol style="list-style-type: none"> 1. Modify Administrative Regulations for the Establishment and Operation of a Telecommunications Network for Academic and Education Purposes or Dedicated Experiments and Research and Development Purposes; thereby adding fee standards on radio frequencies usage for “Commercial experiments and research and development telecommunications”. 2. Modify “utilization fee per MHz”, “remote area coverage factor” and” frequency adjustment

		<p>factor” in Calculation Standards Table of Mobile Telecommunications Frequency so as to adjust utilization fee of radio frequency.</p> <p>3. Revise definitions and wording of “relay station of service for isolated island” and “Microwave links” ; for remote areas , the definition of remote area shall comply with the regulation of Telecommunications Universal Service Regulations in order to avoid confusion.</p>
20.	Examination Regulations for the License Renewal of Satellite Broadcasting and Foreign Satellite Broadcasting Businesses (Modification)	<p>1. Announce and promulgate these regulations under authorization of the Satellite Broadcasting Act.</p> <p>2. Due to the lack of clear differentiation of scores standards for individual commissioner and the panel, analyze terms of individual articles; modify definition of channels’ first broadcasting, which is a major concern of legislators.</p> <p>3. Modify several articles and schedules to improve efficiency of license renewal and to manage abolition of validation and permission registration of oversea enterprises.</p>
21.	Examination Regulations for the License Renewal of Satellite Broadcasting and Foreign Satellite Broadcasting Businesses (Modification)	<p>1. Announce and promulgate these regulations under authorization of Satellite Broadcasting Act.</p> <p>2. Modify schedules these Regulation relevant to assessment and definition of channels’ first broadcasting, which is a major concern of legislators.</p> <p>3. Modify several articles and schedules to improve efficiency of license renewal.</p>
22.	Regulations on Terrestrial Television Business Broadcasting Domestically-Produced Programs (Modification)	Modify Paragraph 3 of Article 7 to adjust the audit period to once a year instead of twice.
23.	Regulations on Satellite Broadcasting Program Supplier Broadcasting Domestically-Produced Programs (Modification)	<p>1. Add Article 5-1 to provide clear definitions of 4 types of programs.</p> <p>2. Modify Paragraph 6 of Article 5 adjust the audit period to once a year instead of twice.</p>
24.	Technical Regulations for Mobile Broadband Systems (Modification)	Add definition for ‘booster’ and clarify the review scope of mobile broadband system to conduct system review accordingly.
25.	Regulations for Administration of Mobile Communications Businesses (Abolished)	Due to the termination of 2Gabolish regulations accordingly.

26.	Telecommunications Universal Service Regulations (Modification)	<ol style="list-style-type: none"> 1. Add ‘mobile broadband’ as an item of universal service in order to improve mobile telecommunication service quality. 2. Considering communications needs of those in near remote areas, expand application scope of said remote area for telecommunication universal service.
27.	Television Programs Classification Handling Regulations (Modification)	<ol style="list-style-type: none"> 1. Announce and establish these regulations under authorization of Satellite Broadcasting Act. 2. In line with international practices, add these Regulations so in the case when programs broadcast by TV enterprises are all of General classification, after reporting to competent agencies for reference, the requirement to mark with classification may be waived.
28.	Regulations for the Distinction between Television Programs and Advertisements, Product Placement Marketing, and Sponsorships (Modification)	<ol style="list-style-type: none"> 1. Relax standards on determination of programs’ commercialization. 2. Add prohibited activities relevant to embedded marketing. 3. Relax restrictions on supporting of children programs. 4. Lengthen time frames of restriction of foreign made programs’ title sponsorship.
29.	Regulations for the Distinction between Radio Programs and Advertisements and Product Placement Marketing and Sponsorships (Modification)	<ol style="list-style-type: none"> 1. Relax standards on determination of programs’ commercialization. 2. Add prohibited activities relevant to embedded marketing. 3. Relax restrictions on supporting of children programs.

III. Titles and summary of amendment points for the 4 administrative rules

	Titles	Summary of Modifications
1	Directions for the Review of Applications for Tax Credits for Research and Development Purposes of Communications Enterprises (Modification)	<ol style="list-style-type: none"> 1. Due to the modification of names and section numbers of Directions for the Review of Applications for Tax Credits for Research and Development Purposes of Companies and Partnership Business, Modify description of authority of these Directions accordingly. 2. Add procedural regulations of review relevant to whether applicant materially violated environment, labor or food safety and hygiene regulations within the past 3 years. 3. Add regulations stipulating the competent authority of central government shall provide tax agencies comments on applicants’ qualification and whether applicant’s research and development activities meet requirements of relevant

		laws and regulations.
2.	Criteria in determination of Remote Areas (New)	Clearly prescribe that rural township (towns, cities, and districts) meeting specific conditions set by NCC may be deemed as remote areas.
3.	Quality Standards Applicable to Fixed Network Telecommunications Business (Modification)	<ol style="list-style-type: none"> 1. Revise name to “Implementation Points on Quality Standards Applicable to Fixed Network Telecommunications Business” 2. Adjust items and order of list of customer service quality standards in Point 4. 3. Revise format of schedule attached to Point 4, modify value of each criterion, and add descriptions.
4.	Procedural Points for Handling of Change Application Forms and Operation Plans Submitted by Satellite Radio and TV Business (New)	<ol style="list-style-type: none"> 1. Regulate and protect rights of legal operation of domestic and foreign satellite broadcasting business. 2. Add and clearly prescribe how type change applications are managed, documents reviewed, reasons for disapproval, issues to be considered, etc. Block principles of classification of channels and programs. 3. Refer these procedural points to directions of assessment, license renewal regulations, transfer this project from projects of 2018; draft procedural points after relevant content of laws and regulations amendment is clarified.