



## Open Agenda

Secretary, and the work streams are being led by the Chief Economist.

5. In August 2019 SHG enlisted AB5 Consulting to assist with the development of a Policy to licence satellite ground stations on St Helena.
6. The roles of AB5 have been to:
  - a. Write a policy paper summarising a new regulatory framework/ licencing process for satellite ground stations, taking into account telecommunications licenses, land planning and environmental impact assessment requirements. Include within the paper a summary of the regulatory framework of other British Overseas Territories. Undertake any associated consultation as necessary;
  - b. Recommend Amendments to St Helena's Telecommunications Ordinance and Land Development Control Ordinance in line with the policy. Work with St Helena Government's Draftsperson to develop the amendments;
  - c. Draft application forms to be used by satellite ground stations to apply for a Telecommunications license from Registrar;
  - d. Develop best practice procedures for the Registry function and build capacity / Capability of the Registrar to deal with future Satellite Ground Station enquiries and future business needs etc.;
  - e. Respond to requests by SHG for technical support/advice when SHG liaise with satellite ground station providers, should this be required.
7. The policy document introduces a licencing regime for satellite ground stations. The main provisions in the policy are to:
  - a. Recognise the International Laws by the International Telecommunications Union, the Council of the European Union and the International Commission on Non-Ionizing Radiation Protection particularly on frequency co-ordination within space, technology use and radiation.
  - b. allocate permissions to use certain frequencies for both receiving and transmitting of information with the aim of ensuring that users do not interfere with

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other user's transmitting and receiving; and

- c. Charging a licence fee which contributes to SHG's costs and revenue receipts.
8. AB5 Consulting supported SHG to develop the draft consultation document 'Consultation on the licensing process for permanent earth stations (PES) and receive only earth stations (ROES) in St Helena'. After EDC consultation endorsement, on 29 November, a press release informed the public that the draft was out to consultation. SHG also contacted companies in the satellite and telecommunications industry directly who may be interested in installing earth stations in St Helena, and also directly contacted SHG departments and members of the public who use radio frequencies and are currently on the Register. The consultation team had one meeting with Sure South Atlantic and one public meeting on 8 January whereby 3 people turned up. The size of the turnout of the public meeting was unsurprising because the Policy is a technical policy and the requirement for licencing does not directly affect many members of the public. Responses to the Consultation Questionnaire were also collected online through Survey Monkey and by email. The Government of St Helena received seven responses to the consultation from the satellite and telecommunications industry. The detail on the comments received and decisions made are outlined within Annex B, the 'Response from SHG to Consultation On Licensing Of Permanent Earth Stations and Receive Only Earth Stations in St Helena'.
9. The updates to the policy, as a result of the consultation in summary were:
- a. To include more information on the regulatory compliance requirements for air safety in the "wedge shaped area originating at the departure and arrival end of the runway and extending for 3 nautical miles from the runway over which the aircraft would normally track"
  - b. To agree that a licence application form for such installation will be made available for applicant on our webpage;
  - c. To agree that a Table of Allocation and Licence Registry will be made available on our webpage to assist new applicants in coordinating frequency use with existing licence holders;

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- d. To update the fees so that they reflect other competitive locations and are more comparable to other public fees by SHG;
  - e. To make clear that Receive Only Earth Stations, although not required to be licenced, will have an option to be licenced if it is of benefit that their uses are recognised formally within the Register and so that they can be protected from interference from other services using the same frequency.
10. The Final Policy is attached as Annex A, with the application form attached as Annex C.
  11. We recommend that the policy comes into force after agreement by Economic Development Committee. This means that licences can be issued and fees will be payable at the rates set in the policy. Endorsement by Executive Council is not necessary until Regulations need to be agreed.
  12. The Telecommunications Ordinance (1989) already makes provision for 'other licences' therefore the Policy can come into effect immediately after EDC endorsement. However, it would be prudent to add more specific regulations which legally protect earth stations from interference. We recommend the regulations covering the licensing of PES and ROES at fixed locations in St Helena are to be developed at the same time as other drafting requirements for the Telecommunications and Electronic Communications Policy. The Telecommunications and Electronic Communications Policy is being developed currently, and therefore it would be expected that the regulations are drafted and will come into force after endorsement by Executive Council in 2020.
  13. AB5 Consulting will be undertaking training with the Registrar, Karen Yon, and other members of SHG to assist application of the Policy.
  14. Currently VHF (radio) licence holders pay £23 per annum. As these are members of the public, it is not proposed to increase this fee significantly except for a small less than inflationary update to round the fee to £25 per annum.
  15. The fees for satellite ground stations will be new. There is one small antennae currently applying for a new licence, which will earn SHG around £750 in year 1 and £500 per annum thereafter. If, for example, the Horse Point site was agreed to allow development of earth stations, it is expected that these could generate upwards of £15,000 per annum in licence fees.

## **FINANCIAL IMPLICATIONS**

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### **ECONOMIC IMPLICATIONS**

16. Not agreeing the Policy will mean that SHG will not be able to collect sufficient licence revenues from satellite ground station providers in order to subsidise the work SHG is undertaking on the Island's digital development. Therefore agreement of the policy is an important step to improve revenue collection.

17. Further economic development on St Helena is conditional on affordable internet access and satellite ground stations are an important part of the Island's digital development. St Helena's remoteness is a challenge in many sectors, however in the satellite ground station sector, the remoteness is St Helena's asset.

18. Some small antennas already exist in St Helena; for example one located at the Met Office collects data which helps to monitor climate change variables such as sea level rise and temperature. St Helena's orbit and location is ideal for this purpose. The fibre optic cable means that grander antennas downloading significantly more data can locate here. This data can be used across the world by governments, academia and companies to help monitor environmental happenings and world affairs. By developing a clear and transparent licencing framework, we can ensure that satellite ground stations will not interfere with each other, will be compliant with International Laws whilst SHG can also benefit from licence fees which can help fund further digital development on-Island.

### **CONSISTENCY WITH INVESTMENT POLICY PRINCIPLES**

19. This is consistent with the following principles:

1. Make St Helena a desirable and competitive destination to do business by removing barriers to investment.

3. Support an economy which is accessible to all potential investors and promote investments across the economy.

4. Support the locally based private sector to compete in an open economy but, where possible, avoid being overly protective.

### **PUBLIC/ SOCIAL IMPACT**

20. Negligible. Radio users within the public will be subject to this policy but we are not intending to vary fees significantly from what they already pay (change from £23 to £25 per annum).

### **ENVIRONMENTAL IMPACT**

21. Ensuring that the Policy includes the requirement for Earth Stations to comply with the International Commission on Non-Ionizing Radiation Protection ensures that the operation

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of Earth Stations will not negatively affect people or animals. The environmental impacts of any construction of Earth Stations will be assessed through the normal planning process.

### **PREVIOUS CONSULTATION/ COMMITTEE INPUT**

22. EDC endorsed the Sustainable Economic Development Plan in 2017 which included 'satellite ground stations' as a targeted export sector.
23. EDC were given a presentation on satellite ground stations by AB5 Consulting in October 2019. EDC endorsed the consultation in November 2019.
24. The public consultation was held between 29 November 2019 and 13 January 2019. One public meeting and one targeted meeting was held.

### **PUBLIC REACTION**

25. Public reaction is likely to be positive. This will demonstrate to the public that real things are occurring with respect to the digital sector growth.

### **PUBLICITY**

26. Press release went out in November and January regarding the consultation. The Chief Economist, Nicole Shamier, and Chief Digital Officer, Jeremy Roberts went on both radio stations in December 2019 to discuss the consultation.
27. The draft final policy, and consultation responses were published on 20 March 2020 prior to endorsement by EDC, to allow for any further comments to be fed back to the Chairman of EDC. Consultation respondents were informed.
28. Agreement of the Policy by EDC will be publicised through a Press Release. Consultation respondents will be informed directly.

### **SUPPORT TO STRATEGIC OBJECTIVES**

29. Link to the 10 Year Plan:  
Altogether Wealthier goal and Strategic Objective 3.3 Ensure Digital Strategy and Fibre Optic Cable delivers intended benefits to the whole community;

### **LINK TO SUSTAINABLE ECONOMIC DEVELOPMENT PLAN GOALS**

30. Link to goal 9:  
Develop the Digital Economy: Open up St Helena to new economic markets by investing in broadband services and infrastructure, work towards delivering a fibre optic cable for the island.

### **OPEN/CLOSED AGENDA ITEM** Corporate Services 19<sup>th</sup> March 2020

31. Recommended for the Open Agenda

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