NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
42ND CONSTITUTIONAL REGULAR SESSION, 2021

Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

RESOLUTION 57

A RESOLUTION to modernize and improve telecommunications services in the Republic of the Marshall Islands.

WHEREAS, the Government has proposed reforms to improve the speeds, reliability, quality and coverage of telecommunications services in the Republic, while reducing the prices of the services to customers and to the Government; and

WHEREAS, the Government has proposed that based on these improvements, the Government will develop e-digital Government services so that through-out the Republic the people of the Republic can more easily access government services including health and education; and

WHEREAS, the Government expects the reforms to create savings of $28 million for the Republic's budget over the first 20 years following the reforms, and to apply these savings to providing additional government services and creating additional jobs; and

WHEREAS, the Government expects the reforms to accelerate economic growth through enabling people and businesses in the Republic to take advantage of world class data and other telecommunications services; and

WHEREAS, the Government is in the process of securing grant funding of approximately $30 million from the World Bank to support the reforms, including grant funding for the planned roll out of fiber networks to reach all premises on Majuro and Ebeye, the upgrade of services to the neighbouring islands, and for the digitisation of services provided by the Government to citizens of the Republic; and

WHEREAS, the Government has provided for the Job Offer Scheme to guarantee that all NTA staff will be offered a job in the reformed telecommunications sector, or in the public sector; and

WHEREAS, the Government intends to make a fair buy-out offer to the NTA non-Government shareholders, based on the current fair value of NTA; and

WHEREAS, to implement the proposed reforms, the Government intends to undertake a competitive search for a suitable international operator to perform an upgrade of the mobile and fixed telecommunications networks of the Republic, including the construction of the new fiber to the premises networks, to reach a world-best standard, with the international operator taking over the customer service functions of NTA; and

WHEREAS, the proposed reforms will ensure that Government retains full ownership of the key telecommunications assets (including the interest in the Hantru cables, the new fiber to the premises network and the mobile towers) to be held through a wholly owned corporation which will become the new NTA; and

WHEREAS, the Government intends to put in place laws and a new public officer to be known as the Telecommunication Officer, to provide oversight on behalf of the Republic of the quality and pricing of telecommunications services; and

WHEREAS, once the international operator has completed the upgrade of the mobile and fixed communications networks of the Republic, the law will permit all and any new telecommunications operators, both domestic and international, to provide services to the public in the Republic subject to that operator being licensed to operate by the Telecommunications Officer; and

WHEREAS, the proposed reforms will allow any and all licensed telecommunications operators that may wish to provide telecommunications services to the Republic to access the Government-owned telecommunications assets for a fair free overseen by the Telecommunications Officer; and

WHEREAS, the proposed reforms will result in the current NTA's customers being served by the new telecommunications operator or operators, and the current NTA's telecommunication assets being transferred to the Government's new NTA; and

WHEREAS, the proposed reforms will result in the current NTA's customers being served by the new telecommunications operator or operators, and the NTA's relevant telecommunication assets being transferred to GORMI's new NTA and as a result the current NTA would be disestablished by its remaining shareholders once the international operator completes the upgrade of the telecommunications networks; and

WHEREAS, to enable the new regulatory regime to be created and for the current NTA to be replaced by a new public entity NTA which will own the key long life infrastructure, the Government intends to repeal the Marshall Islands National Telecommunication Authority Act of 1990 and replace it with a modern telecommunications law that will enable an open, competitive market for telecommunications that is regulated by a Telecommunications Officer in the long term interests of the people of the Republic; and

NOW THEREFORE BE IT RESOLVED, by the people of the Republic of the Marshall Islands, through their Nitijela in its 42nd Constitutional Regulation Session 2021, that the Nitijela hereby supports the this resolution to modernize and improve telecommunication services in the Republic of the Marshall Islands;

BE IT FURTHER RESOLVED that the reform proposal will include the following:

- Ensuring the fair treatment of NTA staff through the proposed Job Offer Scheme for NTA staff; and
- Moving forward with the proposed buy-out offer to NTA non-Government shareholders thereby providing those shareholders with the opportunity to leave NTA at current fair value, rather than remain for the disestablishment of NTA by GORMI, and
- Seeking support from the potential new telecommunications operator to permit local shareholding in the RMI telecommunications operators at fair value as long as such an action is neutral or positive for the benefits the reform is seeking for all the people of the RMI; and

- Undertaking all the activities necessary or desirable to give effect to the reforms and enable the new investment in infrastructure and the development of a digital Republic; and
- Preparing a bill to repeal the Marshall Islands Telecommunications law that will promote an open, competitive market for telecommunications that is regulated in the long term interests of the people of the Republic.

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42ND CONSTITUTIONAL REGULAR SESSION, 2021

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SIGNATURES

DATE: _____ **INTRODUCED BY** _____ _____
Print Name *Signature*

DATE: _____ **INTRODUCED BY** Casten Nemra _____
Print Name *Signature*

DATE: 22 Oct 21 **INTRODUCED BY** M. HALFERTY _____
Print Name *Signature*

DATE: _____ **INTRODUCED BY** _____ _____
Print Name *Signature*

DATE: _____ **INTRODUCED BY** _____ _____
Print Name *Signature*