

A. Cover Page

24 Aug 2016

Mr Jason Bay
Director, Economic Regulation Division
Ministry of Communication and Information
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Dear sir,

ACCA comments on the MCI's Public Consultation of the Review of the Telecommunications Act and Related Amendments to the Media Development Authority (MDA) of Singapore Act (Submission 2)

The Asia Cloud Computing Association (ACCA) thanks the Ministry of Communications and Information (MCI) for the opportunity to comment on the review and related amendments to the Telecommunications Act (TA) and the MDA Act respectively.

We are a leading industry association comprising the stakeholders of the cloud computing ecosystem in Asia. We work to ensure that the interests of the cloud computing community are effectively represented in the public policy debate. Our primary mission is to accelerate the growth of the cloud market in Asia, where we promote the growth and development of cloud computing in Asia Pacific through dialogue, training, and public education. Through regular meetings, we also provide a platform for members to discuss implementation and growth strategies, share ideas, and establish policies and best practices relating to the cloud computing ecosystem.

We note that the review and amendments to the TA and MDAA are in line with supporting Singapore's continued development as a digital Smart Nation, and continued growth as a global leader in the areas of telecommunications, information and communications technology. We applaud and support the MCI's desire to continually review and refine its regulatory regime to be pro-business and pro-economic development.

We are submitting our opinions on the issues and questions raised for your consideration. Please feel free to reach out to us, should you have further questions or clarification on our submission.

Yours sincerely,

Lim May-Ann

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B. Table of Contents

A. Cover Page	1
B. Table of Contents.....	2
C. Summary of Major Points	2
D. Statement of Interest	2
E. Comments	3
1. Part II: Enhancements to facilitate the deployment of telecommunications systems to ensure continued accessibility and good quality of telecommunications services, and Part IV: Enhancements to strengthen oversight of the telecommunication industry, and Part V: Amendments to provide greater clarity to selected provisions of the telecommunications act	3
2. Part III: Powers to establish an alternative dispute resolution ("ADR") scheme for telecommunication and media sectors	3
F. Conclusion	3

C. Summary of Major Points

The ACCA supports the MCI's proposed review of the TA and MDAA, and agree that the changes are made to strengthen the Singapore telecommunications regulatory environment. In particular, we welcome the proposed creation of an ombudsman, to tackle disputes which may arise, i.e. the alternative dispute resolution ("ADR") scheme. Other efforts to clarify the role of the Infocomm Development Authority (IDA) are also welcome. We provide more detailed feedback in Part E of this submission.

D. Statement of Interest

1. The Asia Cloud Computing Association (ACCA) is a leading industry association comprising the stakeholders of the cloud computing ecosystem in Asia. We work to ensure that the interests of the cloud computing community are effectively represented in the public policy debate.
2. Our primary mission is to accelerate the growth of the cloud market in Asia, where we promote the growth and development of cloud computing in Asia Pacific through dialogue, training, and public education. Through regular meetings, we also provide a platform for members to discuss implementation and growth strategies, share ideas, and establish policies and best practices relating to the cloud computing ecosystem.
3. We note that the review and amendments to the TA and MDAA are in line with supporting Singapore's continued development as a digital Smart Nation, and continued growth as a global leader in the areas of telecommunications, information and communications technology. We applaud and support the MCI's desire to continually review and refine its regulatory regime to be pro-business and pro-economic development.
4. We are submitting our opinions on the issues and questions raised for your consideration. Please feel free to reach out to our Executive Director, Ms Lim May-Ann, should you have further questions or clarification on our submission.

E. Comments

1. Part II: Enhancements to facilitate the deployment of telecommunications systems to ensure continued accessibility and good quality of telecommunications services, and Part IV: Enhancements to strengthen oversight of the telecommunication industry

The ACCA notes that Singapore's mobile population has grown rapidly over the last decade, and mobile phone penetration and use has hit approximately 150% since 2011.¹ We applaud and support Singapore's efforts to develop its Smart Nation capacity, many applications of which are built on the basis of cloud computing technologies. In order to maximize the potential of these new cloud-enabled technologies – such as big data, analytics, augmented reality etc, a strong and robust mobile network for consumers is required. As such, the ACCA is supportive of the amendments to empower the IDA to clarify processes, and establish a framework to regulate and facilitate the use of and access to rooftop space for mobile deployments.

2. Part III: Powers to establish an alternative dispute resolution ("ADR") scheme for telecommunication and media sectors

We welcome the proposed creation of an ombudsman, to tackle disputes which may arise, i.e. the alternative dispute resolution ("ADR") scheme. The ADR will provide an additional route for resolving disputes, providing one more step before turning to legal recourse, which will reduce the cost of dispute resolution.

We note that the ADR has been set up to protect consumers; we support that that business and enterprise arrangements be excluded from this scheme, as the marketplace for business users' services is well-functioning and highly competitive, with different products negotiated at different arrangements.

3. Part V: Amendments to provide greater clarity to selected provisions of the telecommunications act

The ACCA believes that these amendments are a good step forward for the MCI and Singapore, to provide greater clarity and transparency regarding the collection /use/disclosure of personal data by telecom service providers. We also understand that this clarity in regulation reflects the needs of the market today, including the need for a flexible, technology neutral, and future-proof framework. In assistance to your work, here are some high-level regulatory policy and data privacy principles which you may want to consider as you finalise these amendments:

- Policy needs to be horizontal rather than sector specific
- Promote a lighter touch horizontal regulatory regime for all market
- Encourage investment and innovation
- Sector-specific regulation should not be imposed when general data protection, security and consumer protection rules already exist and are robust enough across sectors

F. Conclusion

The ACCA thanks the MCI for considering our comments. Please feel free to reach out to us, should you have further questions or clarification on our submission.

¹ IDA Mobile Phone Penetration Rate 2004-2015, 31 May 2016, <https://www.ida.gov.sg/Tech-Scene-News/Facts-and-Figures/Telecommunications>