

# REGULATORY AUTHORITY BOARD

MINUTES of the Meeting of the Board of Commissioners of the Regulatory Authority of Bermuda (the “RA”) held on the 19<sup>th</sup> August 2021 via teleconference at 11:10 a.m.

Present: Michael Wells (Chairman, Commissioner)  
Gregory Swan (Commissioner)  
Mark Fields (Commissioner)  
Wayne Carey (Commissioner)  
Philip Perinchief (Commissioner)  
Denton Williams (Chief Executive)

In Attendance: Alisha Roberts (Executive Assistant)  
Jozelle Opoku (Head of Regulation)  
Richard Ambrosio (Senior Legal Advisor)  
Charmaine Burgess (Director Communications & Stakeholder Engagement)  
Erika Thomas (Legal Advisor) (part 4.b only)

## 1. QUORUM

The Chairman called the meeting to order and reported that a quorum was met. There were no conflicts of interest reported. The Chairman welcomed Commissioner Wayne Carey to the RA Board of Commissioners.

## 2. CONFIRMATION OF BOARD MINUTES

The Minutes of the meeting held on 5 August 2021 were confirmed subject to the requested edits being made.

## 3. CE/CHAIRMAN MEETINGS UPDATE

No meetings held.

## 4. ADMINISTRATION

### 4.a Legal Matters

Bermuda Telephone Company Ltd & Telecommunications (Bermuda & West Indies) (collectively, “Digicel”) vs Regulatory Authority, Civil 2020 No. 320 matter continues.

Logic Communications Ltd & Bermuda Digital Communications Ltd (both trading as One Communications, collectively “OneComm”) vs Regulatory Authority, Civil Jurisdiction 2020 No. 315 matter continues.

Enforcement vs Telecommunications Network Limited Enforcement proceedings to continue.

Telecommunications Network Limited v Regulatory Authority, Civil Jurisdiction, 2020, No 446 Settlement discussions to continue.

Enforcement vs World on Wireless Ltd (“WOW”) Enforcement proceedings to continue.

4.b Personal Information Protection Act 2016 Implementation

The Board were provided an update on the Personal Information Protection Act 2016 (“PIPA”) and the next steps for implementation into the RA.

4.c Conflicts of Interest Register

The 2021/2022 Conflicts of Interest Register for the RA Staff and RA Board of Commissioners was reviewed, and there were no conflicts reported. The Register will be updated within two weeks of the next declaration reporting cycle to occur in 2022/2023.

5. REGULATORY

5.a Class Nine Radio Licence – MOU between RA and Bermuda Shipping and Maritime Authority for approval

Commissioner Perinchief recused himself from participating in the approval decision due to his position as Director on the Bermuda Shipping and Maritime Authority Board.


It was RESOLVED to approve the proposed Memorandum of Understanding with the Bermuda Shipping and Maritime Authority, subject to the requested edits being made, and to authorize the Chief Executive to sign a copy on behalf of the Regulatory Authority,

5.b Retail Tariff Review - Preliminary Assessment

The Board reviewed the preliminary details from the 2021/2023 Retail Tariff Review.

5.c Ministry of National Security Spectrum Request

It was RESOLVED to approve the temporary spectrum request from The Ministry of National Security,

  
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Chairman