TELECOMMUNICATIONS REGULATORY POLICY ON RESEARCH AND DEVELOPMENT IN THAILAND

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ABSTRACT
A telecommunications regulator plays an important role in people communication and also in promoting capability development in other sectors such as manufacturing sector, trade and commerce sector as well as public and private service sectors. The distribution of Universal Basic Telecommunications and Social Services will minimize the gap in communication and technology access which will improve the quality of life of the people in remote areas and bring about the equality and fairness in standard of living for all citizens both in the city and the remote areas. This will finally affects the national competitiveness level. In Thailand, the National Broadcasting and Telecommunications Commission (NBTC), as an independent regulator, has issued the NBTC’s Notification Regarding the Criteria and Procedure for Revenue Collection to Fund the Provision of Universal Basic Telecommunications Services and Social Services which prescribes the criteria and procedure for revenue collection from telecommunications service licensees for contribution to the Broadcasting and Telecommunications Research and Development Fund for the Public Interest. The goal is to promote and improve knowledge and skill which will benefit to the public for the appropriated and efficient access to the basic telecommunications services. This paper aims to describe how the NBTC develop policy and strategy to achieve the objective of the NBTC’s Notification Regarding Plan on Universal Basic Telecommunications Services and Social Services (B.E. 2555-2559) on research and development. The paper also demonstrates the organization structure and key management issues.

Key word: Telecommunications, Regulatory, Research, Development, Policy, Thailand
1. INTRODUCTION

The Act on Organization to Assign Radio Frequency and to Regulate the Broadcasting and Telecommunications Service B.E.2553 (2010) [1] which has become effective since 20 December 2010 prescribed that there shall be the National Broadcasting and Telecommunications Commission (NBTC) having powers and duties to assign the frequencies and to regulate the broadcasting and telecommunications business, considering the utmost public benefits at national and local levels in education, culture, State security and other public interests including fair and free competition, as well as the procedures that will ensure thorough and appropriate distribution of benefits to various services and in line with State policy for the development of digital economy. The NBTC also considers that the mobile telecommunications service is a key factor of industrial, economic and social development which will elevate Thailand’s telecommunication development in line with the global evolution and will promote the public right to communicate and the advancement in receiving information, as well as in compliance with the fundamental telecommunications business policy of the country.


2. RESEARCH AND DEVELOPMENT FUND ACTS

According to the Universal Basic Telecommunications Services and Social Services Plan B.E. 2555-2559 (2012-2016) [5], this plan has layed out the guide in setting the area, target group and time frame of operation, including the appointment of the Executive Committee of the Research and Development Fund for Broadcasting and Telecommunications Business for Public Interest, which have the duties to set the policy framework, guidelines on management of the fund to be more efficient as required by the law.

The Broadcasting and Telecommunications Research and Development Fund for Public Interest was established under the Act on Organization to Assign Radio Frequency and to Regulate the Broadcasting and Telecommunications Services B.E. 2553 (2010) [1]. The Fund Management Committee was consisted of Chairman of the NBTC as the Chairperson, Permanent secretary of the Office of the Prime Minister, Secretary General of the Office of the National Economic and Social Development Board, Director General of the Comptroller’ Department, and Director of the National Electronics and Computer Technology Center as members and 5 experts with relevant knowledge and experience as well as Secretary General of the Office General of the Office of NBTC as and secretary of the Fund committee, totally 11 members, to
manage the Fund and comment related to the allocation of fund in order to fulfill the objectives to the NBTC board.

The Executive Committee of the Fund has duties to make decision fund approval as well as setting regulations relating to storage, spending, accounting and accounting system of research and development fund. The Bureau of Research and Development Fund will be appointed as the secretariat of the Executive Committee of the Research and Development Fund, which has already started its duties from 20 January 2012 onwards. During the first year of operating the fund is the time for preparation for fund management, collecting the money and allocating funds is efficient way in accordance with the Fund’s objectives.

The structure of Broadcasting and Telecommunications Research and Development Fund and the authority of Management Committee of Research and Development of broadcasting and telecommunications business for the public interest has indentified in the following detail.

![Figure 1](structure.png)

**Figure 1** Structure of Broadcasting and Telecommunications Research and Development of Fund for the Public Interest

**Source:** Bureau of Research and Development Fund of Broadcasting and Telecommunications Business for Public Interest
3. AUTHORITY OF THE ADMINISTRATIVE COMMITTEE OF THE FUND

Under Section 55 of Act on Organization to Assign Radio Frequency and to Regulate the Broadcasting and Telecommunications Services B.E. 2553 (2010) [1] has defined the authority of the Executive Committee of the Fund as follows:

1. To manage the Fund.
2. To comment on the allocation of the fund in accordance to the Fund’s submitted to the NBTC for approval.
3. To issue regulations relating to the storage, spending, accounting and fund accounting system.
4. To disclose the details about the allocation and operation of the Fund to public through electronic media of the NBTC.

4. LINKAGE OF THE FUND AND THE NBTC

Under the authority of the executive committee fund as mentioned above, there is a link between the Executive Committee of the Fund and the NBTC. If considering the intention of the Act to set up the Fund as joint unit of Fund’s Executive Committee and the NBTC, if without responsibility of a party, the allocation of funds would violate the law which focus on the performance of management of research and development fund.

The year 2012 was the first year that the Executive Committee of the Fund had begun manage. In this first phase, it was the time for preparation to lay ground for the managing the Fund in order to keep on the implementation of the scheme systematic and stable. Therefore, the Commission has set the policy for the management of the Fund effectively by set rules and procedure under Section 55 of Act on Organization to Assign Radio Frequency and to Regulate the Broadcasting and Telecommunications Services B.E. 2553 (2010) [1] to ensure the preservation and allocation of funds to be orderly and fair to all sectors and to achieve the objectives of the Fund as follows:

Figure 2 Linkage of the Fund and the NBTC

Source: Bureau of Research and Development Fund of Broadcasting and Telecommunications Business for Public Interest
5. RULES AND RELATED REGULATIONS

1. Regulation of the Executive Commission of Broadcasting and Telecommunications Research and Development Fund for Public Interest on the preservation, spending, accounting and accounting system B.E. 2555 (2012), which was promulgated in the Royal Gazette No. 129, Special 156 (d) on October 15, 2012.


6. STRATEGIC PLAN FOR THE MANAGEMENT OF THE FUND

Objectives of managing the Fund are to create stability and response the needs of residents and business operators in broadcasting and telecommunications business for public interest thoroughly as well as modernizing to keep pace with changes in technology economy and society completely and beneficial to the public interest. Therefore, the Executive Committee of the Fund has set a policy framework and strategic plan for the year 2012-2016, which were reported for acknowledgement and informed the NBTC meeting (11th/2012) on August 22, 2012. The policy and strategic plan for management of the Fund as shown below.

1. To manage and allocate funds in order to provide people with services in broadcasting and telecommunications business, development of communication resource development, research and development, media literacy, technology of spectrum, information technology and technological facilities for the disabled, elderly and disadvantaged group as well as telecommunications industry and related industries.

2. Development of human resource in the broadcasting and telecommunications business as well as in information technology to support organizations which are responsible for setting the ethical standards of profession in accordance with the Act on Broadcasting Business in order to protecting consumers in broadcasting and telecommunication business and supporting the implementation of the Law on Safe and Creative Media Development Fund. Fund allocation policy is based on the discretion of the Executive Committee of the Fund to determine how to allocate additional fund, such as the percentage of funds allocated to the fund in accordance with the objectives and conditions as stated in law.

3. To support the implementation of supplementary services in deprived areas thoroughly in accordance with the Universal Basic Telecommunications Services and Social Services Plan B.E. 2555-2559 (2012-2016) [5], developed by the National Telecommunications Commission and support the Broadcasting Universal Broadcasting Service to people, developed by the National Broadcasting Commission.

4. To support the business sector and civil society to take the primary role or cooperation with the Fund to push for implementation in accordance with the purpose of Section 52 of the Act on Organization to Assign Radio Frequency and to Regulate the Broadcasting and Telecommunications Services B.E. 2553 (2010) [1].

5. To promote and support people and the youth play a role as a provider of knowledge on education, profession and culture through broadcasting media, TV and telecommunications media.
7. POLICY ON FUND MANAGEMENT

1. To manage budgeting of the Fund on basis of budgeting on result based management in order to focus on people centric operation as goal and mission and create consistency from the policy level to activity level.

2. To manage the Fund stable and self-reliant by preparation of a financial plan within the next years (B.E. 2555-2559) which have a clear estimate of the revenue from different sources, allocation of funds to target groups and taking capital fund invest in safe and good return.

3. To maintain capital fund properly and stably to support the operational mission both in short and long term.

8. THE FUND’S STRATEGIC PLAN 2012-2016

Strategy 1: To promote and support the development of broadcasting and telecommunications business across the country, consumer protection across all target groups, providing people access to fast data communication services at a fair and reasonable basis, the use of communications services in the development of quality of life and business as well as allocation of funds according to the requirements of Section 52 and Section 53 of the Act on Organization to Assign Radio Frequency and to Regulate the Broadcasting and Telecommunications Services B.E. 2553 (2010) [1].

Strategy 2: To support broadcasting and telecommunications services for people to get news and information through television, radio and telephone communications as well as high-speed internet in all areas in the country thoroughly.

Strategy 3: To promote research and development in the broadcasting telecommunications business on ability to provide services to the public with quality and effectiveness.

Strategy 4: Human development in broadcasting and telecommunications business to keep pace with the changes of advanced communication technology and has ability to media use for beneficial to career and life properly.

Strategy 5: To develop management of fund to strengthen and modernize the functional system professionally in order to support the implementation of the Act on Organization to Assign Radio Frequency and to Regulate the Broadcasting and Telecommunications Services B.E. 2553 (2010) [1] effectively.
9. THE UNIVERSAL SERVICE OBLIGATION (USO) PLAN, B.E. 2555-2559 (2012-2016)

In 2012, the NBTC set the five-year Universal Service Obligation (USO) Plan, B.E. 2555-2559 (2012-2016) [8], in compliance with the Article 27 (12) and Article 50 of the Act on the Organization to Assign Radio Frequency and to Regulate the Broadcasting and Telecommunications Service, B.E. 2553 (2010) [1]. The goals and performance indexes of the plan are as follows:

1. At least 75 percent of the populations nationwide can access the personal telephone service.
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2. Providing the public telephone service between one number to two numbers per village in the non-commercially potential areas inaccessible to the service.

3. At least 80 percent of the populations nationwide can access broadband Internet service with connection speed of at least 2 Mbps.

4. Providing Internet service center to the communities and the Internet service access to educational institutes and hospitals in Tambon, featuring connection speed of at least 2 Mbps, in the area inaccessible to the service.

5. Providing broadband Internet service to at least 50,000 households in the area where there is commercially potential but inaccessible to the service.

6. Setting Internet service centers featuring connection speed of at least 2Mbps in at least 500 locations nationwide to specifically serve the low-income, the disabled children, the elders, and the under-privileged.

7. Arranging the specific telecommunications services for at least 100,000 disabled to enable them to gain access of information and news.

8. Supporting the development of Internet content that can benefit general public, especially the content that can benefit the daily life of people in the regions.

9. Supporting the improvement of skills and knowledge of at least 500,000 people, especially the low-income, the disabled, children, the elders, and the under-privileged.

10. Studying the ways to assign emergency numbers and incorporate this assignment plan into the USO Plan. Complete the study in one year and finish assigning the emergency numbers within the period of the USO plan’s implementation.

11. Supporting the study, R&D and pilot the projects that will benefit the implementation of the USO Plan.


In 2012, the NBTC issued the policy and the plan of the radio spectrum management and carried out the radio spectrum licensing.

10. CONCLUSION

In Thailand, basic telecommunications services selected to be provided are telephone service and high speed internet service with neutral technology employed and the applications which include terminal equipment, software or other necessary peripherals. The goal is to promote and improve knowledge and skill which will benefit to the public for the appropriated and efficient access to the basic telecommunications services. Moreover, the licensees with their own network are required to annually contribute to the Fund at the amount of 3.75% per year of their net income from their telecommunications services as defined in the said notification. It is expected that, after the successful implementation according to the Universal Basic Telecommunications and Social Services Plan (B.E.2012-2016), the personal telephone penetration rate will be at least 95% of Thai population and the high speed internet penetration rate will be at least 80% of Thai population. Also, there will be internet community center, internet service in school, internet service in community hospital as well as internet service center for target groups nationwide and telecommunications system for the disabled to access to information as others.
REFERENCES


