



Bermuda Submarine Communications Cables Permit

APPLICATION FAQ



BUSINESS DEVELOPMENT AGENCY
BERMUDA



REGULATORY AUTHORITY
OF BERMUDA

FAQ

How long does it take to get the permit approved?

An application normally takes 60 business days and a maximum 75 from submission of a complete application.

What is the process we need to follow?

See the Basic Business Process for Submarine Cable Permit 2020 table below.

What does it cost?

See fee schedule and scenarios in [Appendix 1](#).

Who do I contact to find out about the process (s) or if I have questions?

You can contact the Business Development Agency at +1 (441) 292-0632 and Craig Davis, Senior Manager of Electronic Communications at the Regulatory Authority at cdavis@ra.bm or +1 (441) 474-6035.

Who do we need to contact about an environmental study(s) and what does the study need to cover off?

See EIA/EIS guidance: www.ra.bm/submarine-legislation/

What access to alternative energy is available?

There are potential locations on sites nearby the landing area that have the potential for a solar PV development after consultation with BLDC, BELCO and the Regulatory Authority.

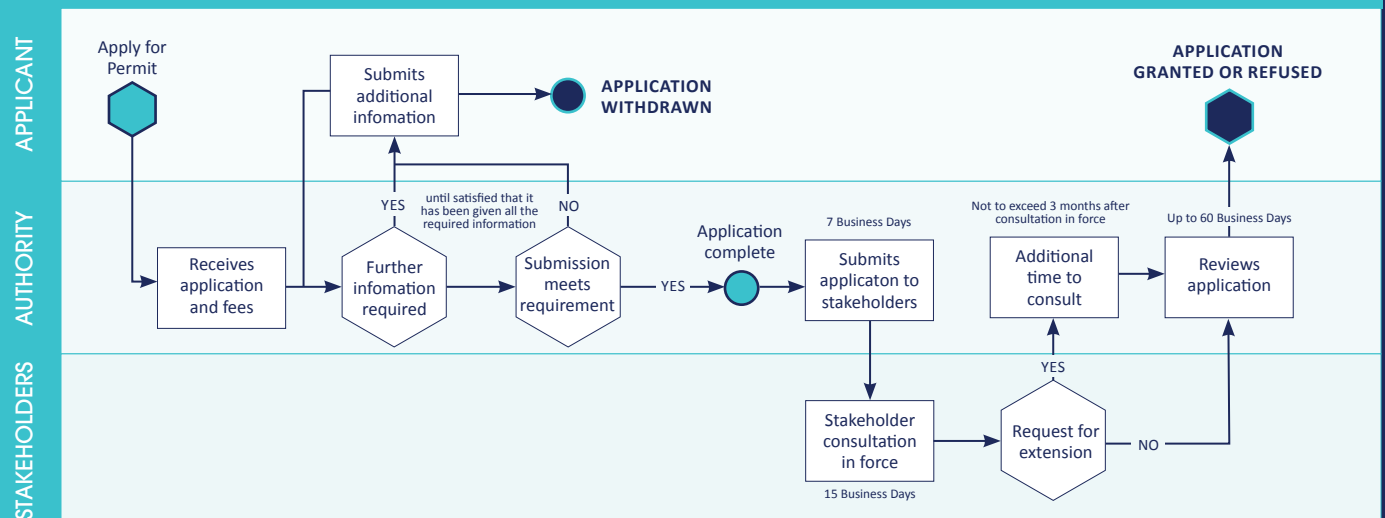
What buildings are available near the airport to convert into a landing station (colocation station)?

There are a number of available buildings for lease on the Bermuda Land Development Company (BLDC) site near the airport landing site which can be found on the BLDC website. Some of these buildings were former naval network sites and communication buildings. www.blde.bm/leasing/

What people/companies are available on island that are capable of running/monitoring the site for us?

There is a list of ICOL providers on the island that can provide this support. A list can be found on the Regulatory Authority website at www.ra.bm/licences-icol-col. There are also several Information Technology companies that may be able to provide support, such as ACT, CCS Group Limited, Fireminds, Gnosis, Ignition (Bermuda) Ltd and Quest Consulting.

Basic Business Process for Submarine Cable Permit 2020 Ver 2



Appendix 1

Submarine Cable Fee Scenario Guidance 2021

under the Electronic Communications Act 2011 (“ECA”)
and Submarine Communications Cables Act 2020 (“SCCA”)

This document is meant to provide guidance to assist applicants under the SCCA and SubCOL holders under the ECA with respect to the relevant Government and Regulatory Authority fees. The new SCCA allows permitted installation and licensed operation of submarine communications cables in the exclusive submarine communications cables protection zone and the ECA governs domestic electronic communications.

The licensing under the SCCA is split into two modes. The first mode is for legacy submarine communications systems which were duly authorised for operation under the ECA prior to the enactment of the SCCA. Scenario 5 below only applies to the legacy licensees that hold a SubCOL issued under the ECA and per section 80 of the SCCA.

The second mode applies to new systems which are duly authorised under the SCCA exclusively for transit service or under the SCCA and ECA jointly for both transit and domestic service respectively. Scenario 1 below illustrates the fees related to a new licence application. Scenario 2 below illustrates the fees related to a new installation permit application. Scenario 3 illustrates the annual fees related a cable system licensed under the SCCA only (transit only). Scenario 4 illustrates the annual fees related to a cable system licensed jointly under the SCCA and the ECA to provide both transit and domestic service.

1) New system licence application under the SCCA

a. **\$449,500** allocated as follows:

- i. Regulatory Authority - Licence application fee - **\$1,000** - Non-refundable fee under SCCA section 58;
- ii. Government Authorization Fee - licence application - **\$1,000** - Nonrefundable fee under SCCA section 15 read with section 58;
- iii. Regulatory Authority - Licence consultancy deposit - **\$35,000** - Refundable less incurred cost. May be increased, by order to cover any additional costs required to evaluate the application per SCCA section 57; and
- iv. Government authorisation fee for the right to have the submarine cable in the protection zone for the duration of the licence (maximum 25 years) - **\$412,500**

2) New system installation permit application under the SCCA.

a. **\$52,000**, allocated as follows:

- i. Regulatory Authority - Installation permit application fee - **\$1,000** - Nonrefundable fee for cable developer seeking an installation Permit per section 14 or section 45 of the SCCA;
- ii. Government Authorization Fee - Installation permit application fee - **\$1,000** - Non-refundable fee per SCCA Section 15, applies to all new submarine communications cables or extension under section 45; and
- iii. Regulatory Authority - Protection Zone Installation permit - Consultancy Deposit - **\$50,000** - refundable less incurred cost. May be increased by order to cover any additional costs required to evaluate the application per SCCA section 31.

3) New system annual licence fees for transit only systems under the SCCA

a. **\$60,000** annually, allocated as follows:

- i. Regulatory Authority – Annual Licence fee - **\$30,000** - Per SCCA section 65; and
- ii. Annual Government Authorization Fee for a licence - **\$30,000** - Per SCCA Section 65, and applies to all new submarine communications cables.

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Submarine Cable Fee Scenario Guidance 2021

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- 4) New system annual licence fees for transit systems and domestic service under the ECA
- a. **\$60,000** annually, allocated as follows:
 - i. Regulatory Authority – Annual Licence fee - **\$30,000** - Per SCCA section 65; and
 - ii. Annual Government Authorization Fee for a licence - **\$30,000** - Per SCCA Section 65, and applies to all new submarine communications cables; and
 - b. **2% of gross revenue locally-derived**, allocated as follows:
 - i. Annual SubCOL licence - (Regulatory Authority fee) - **1% of gross revenue locally-derived** - Applies only to those cables providing services to the local electronic communications market per ECA 2011 Section 11; and
 - ii. Annual SubCOL licence – (Government authorization fee) - **1% of gross revenue locally-derived** - Applies only to those cables providing services to the local electronic communications market per ECA 2011 Section 19.
- 5) Legacy system licensed only under the ECA and holder of a SubCOL.
- a. **2% of gross revenue locally-derived**, allocated as follows:
 - i. Annual SubCOL licence - (Regulatory Authority fee) - **1% of gross revenue locally-derived** - Applies only to those cables providing services to the local electronic communications market per ECA 2011 Section 11; and
 - ii. Annual SubCOL licence – (Government authorization fee) - **1% of gross revenue locally-derived** - Applies only to those cables providing services to the local electronic communications market per ECA 2011 Section 19.



FOR MORE INFORMATION, PLEASE CONTACT:

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