#### Development of a compliance monitoring program

# Step 1 List all obligations

- Make a comprehensive list of all the obligations that exist in licences, notifications and other legislation that apply to a particular type of licence or licensee
- For licence types in a converged licensing framework see Exhibit
- For a unified list of license terms and conditions <u>see here</u>

## Step 2 Identify bureau's responsibilities

 Revise the list to identify the particular obligations for which your bureau / team is responsible for monitoring and enforcing

## Step 3 Prioritise obligations

- Prioritise those obligations (for compliance monitoring purposes) into three categories (A, B and C) by considering the potential noncompliance implications in terms of protecting:
  - o Consumers
  - o Society
  - Fair competition
- Example of
  prioritising in classes
  A, B and C, see
  detailed exhibit

### Step 4 Prepare monitoring plan for each high/medium priority obligation

- Preparing a monitoring plan for each high/medium priority obligation
- Consider using the following template



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### Step 5 Check level-playingfield in Relevant Market

- Check if the proposed monitoring plans will disproportionally burden some affected licensees
- Licensees in the same Relevant Market should have (similar) compliance measures imposed
- For Relevant Market definitions see her
- If needed, draft a plan
  to mitigate these inbalances in the Relevant Market

Step 6 Revise scheduled information requests

 Make the necessary changes to the regular/ scheduled information request (and any other information gathering processes), ensuring that licensees provide the information necessary to enable you to monitor compliance in accordance with your compliance monitoring plan

## Step 7 Inform affected licensees

 Inform affected licensees that you will be monitoring compliance and the process through which you intended to do so



Prioritizing implications in case of non-compliance

HIGH

LOW

For example: Health and public safety ٠ Harmful audio visual content Infrastructure access pricing Universal Service pricing • For example: Significance of non-Level-playing field compliance in terms Quality of service levels of protecting • **Privacy violations** consumers, society and fair competition For example: Licensee reporting duties Licence fee payments •

Category A

Category B

Category C



### Template for a compliance monitoring plan

#### [ref.no.] Obligation (e.g. not exceeding maximum field strength levels) Legal references Importance (A or B) Monitoring plan Required information Information collection plan Threshold for next enforcement step (see below) Court Regular Ad-hoc Written Order to Formal Suspend Revoke imposed info info inspection stop or act advice licence licence gathering requests penalty

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