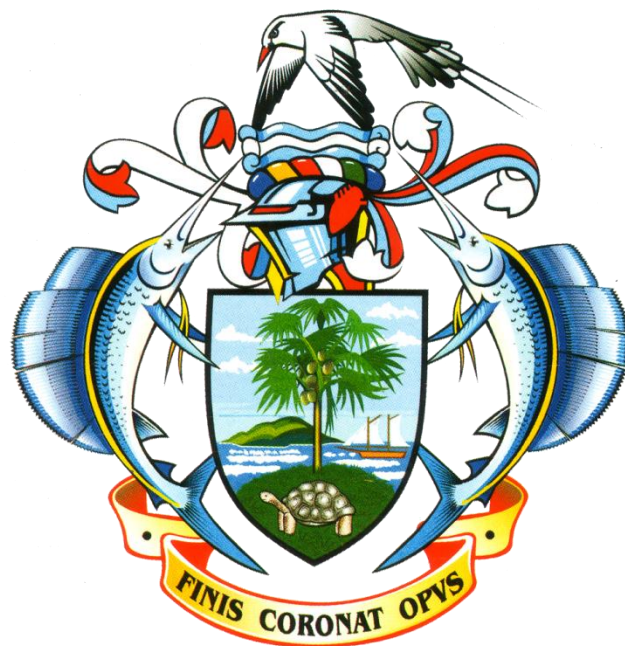


REGULATORY FRAMEWORK FOR AUTHORIZING AND REGISTERING ACCOUNTING AUTHORITY (AA) FOR SEYCHELLES-FLAGGED VESSELS



Produced by: Vice-President's Office
Department of Information Communications Technology
Communications Division
P.O. Box 737
3rd Floor, Caravelle House, Manglier Street
Victoria
Seychelles

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1. Introduction

The purpose of Accounting Authorities (AAs) is to facilitate the effective collection and distribution of telecommunications charges between ships and service providers. The Department of Information Communications Technology (DICT) is responsible for authorizing and monitoring AAs based in the Seychelles, or overseas, which provides AA services to ships registered in the Seychelles; termed as Seychelles-flagged vessels.

This regulatory document is intended to:

- 1 - Give an outline of the purpose and functions of AAs and to provide guidance on the role of both AAs and DICT vis-à-vis the subject matter.
- 2 - Provide transparent, non-discriminative procedures for the authorization of an AA for the maritime services and to promote efficiency in the collection of telecommunication charges and the convenience to the users.

2. Definitions

For the purpose of this document, the definition set forth below shall apply:

- **Accounting Authority (AA)** is an organization, commercial or non-commercial, which administers the billing and settlement of the communication charges for maritime mobile stations, including mobile earth stations. An AA acts as an intermediary between ships and service providers. It is authorized by an administration of the respective country to act on behalf of the ships of that country for the purpose of receiving and settling bills for maritime telecommunication services.
- **Maritime mobile service** is used to cover the maritime mobile satellite service as well as maritime mobile terrestrial services such as the MF, HF and VHF radio media, unless specifically stated otherwise.
- **Mobile earth station (MES)** is an earth station in the maritime mobile satellite service intended to be used while in motion or during halts at unspecified points. It can be a device installed on a ship to enable the communication between the ship or subscribers or on a fixed installation in a maritime environment.
- **Subscriber** is the licensee of the maritime mobile station.
- **Licensee/s** is used to describe users of any maritime mobile satellite stations or maritime terrestrial mobile stations on board a ship which has been licensed or granted permission by DICT or the Seychelles Licensing Authority (SLA) to possess and operate these stations.
- **Service provider** is the organization or company which provides the international maritime telecommunication service to/from maritime mobile stations (e.g. Inmarsat).
- **Maritime mobile station** is used to include a maritime mobile satellite station and maritime terrestrial mobile station; in the context of billing it refers to the licensee of the maritime mobile station, equating to the use of the term customer in the terrestrial service. It also equates to Ship Station used in the International Telecommunication Union (ITU) Radio Regulations.
- **Maritime bill** is the bill issued by the service provider in respect of collection charges for maritime mobile communication traffic originated by a maritime mobile station.
- **International maritime telecommunications service** is the offering of a telecommunications capability, which is only restricted to the maritime mobile services, between telecommunications offices or stations of any nature that are in or belong to different countries.

- **Contract of the AA** is the contract between the licensee(s) of the maritime mobile station and the AA, which makes it possible to collect charges for the international maritime telecommunications services, from the licensee(s) of maritime mobile station and pay them to the supplier of the international maritime telecommunication services.

3. The Role, Responsibility and Duties of an AA

The basic role, responsibilities and duties of AAs are derived from the International Telecommunication Union's (ITU) **International Telecommunication Regulations (ITR)** and the **ITU-T Recommendation D.90** which sets out the principle for charging, billing, international accounting and settlement for the maritime mobile service. An AA basically acts as an intermediary, between the licensee of the maritime mobile station and the service providers. As such, AAs must undertake to operate in accordance with any relevant Regulations and Recommendations of the ITU which define their responsibilities and duties.

3.1 Financial Responsibility

An AA must be a business entity willing and able to provide a continuous worldwide service to maritime subscribers. An AA must also have the resources and expertise necessary to handle the complexities of billing international mobile traffic.

AAs are responsible for:

- 1 - The collection of charges from maritime mobile station licensees for maritime terrestrial and satellite telecommunications services on the basis of accounts received from the service providers.
- 2 - The payment of charges to service providers for telecommunication services used by those maritime mobile station licensees for whom they have account responsibility, and ensuring that these payments are made in accordance with the applicable ITU Regulations and Recommendations.

3.2 Information Exchange

The prompt and accurate exchange and dissemination of information is essential to the proper functioning of the international maritime radio billing system, and to maintaining effective quality control.

AAs are therefore expected to:

- 1 - Notify the appropriate service providers of new subscribers and any change in status of existing subscribers, e.g. a change in ownership or flag and/or the cessation of contract, or the deletion of a subscriber - notification should, as far as practical, be immediate; and
- 2 - Provide updated mobile subscriber lists to service providers on a regular basis, and issue new lists at least every 90 days with all changes identified clearly.

4. The Role of DICT

ITU-T Recommendation D.90 sets out the principle roles of the AAs and the administrations/countries. In Seychelles, DICT is the administration responsible to authorize or register AAs willing to account for maritime mobile stations licensed in Seychelles and set the relevant guidelines regarding AAs for Seychelles-flagged vessels.

4.1 Registration of AAs based in Seychelles

DICT is responsible for registering AAs based within its territory with the ITU, and allocating each with a unique AA Identification Code (AAIC). The AAIC consists of a two letter country code followed by a two digit numeric code denoting the particular AA. For Seychelles, the two letter code is **SZ** as per ITU-T Recommendation F.32 (Telegram Destination Indicators). An example of an AAIC format for Seychelles is SZ01.

It is important to note that the AAIC is allocated by the country in which the AA is based, regardless of whether or not the AA concerned is responsible for ship stations licensed by that administration.

4.2 Recognizing AAs Registered in Other Countries

DICT may authorize AAs registered in other countries to account for Seychelles-flagged vessels. All such authorizations shall be notified to the ITU by DICT. The current status of the AAIC of these foreign AAs may be confirmed with the administration of the country in which the AA is based.

4.3 Notification of List of AAs Accounting for Seychelles-Flagged Vessels to ITU

As per ITU-T Recommendation D.90, DICT maintains, and notifies to the ITU, two lists of authorized AAs.

- 1 - **List A** details only those AAs authorized to account for maritime mobile stations licensed by DICT/ SLA, irrespective of whether or not the AA is based in Seychelles.
- 2 - **List B** in contrast, details all the AAs based in Seychelles, though not necessarily authorized to account for ships licensed by DICT/SLA.

An AA on List B does not have to be on the List A of Seychelles for it to be accepted on to the List A of another administration.

4.4 Maximum Number of AAs

As per ITU-T Recommendation D.90, all administrations should ensure that the number of AAs in their List A does not exceed a maximum of 25. However DICT have set a maximum of 10 AAs to account for Seychelles-flagged vessels considering that this presents a more controlled environment to work with and minimize the financial risk of authorizing AAs.

5. Application for Authorization and/or Registration

5.1 Application Procedures

All applicants willing to:

- i. Be authorized to act as an AA for Seychelles-flagged vessels; or
- ii. Be registered as an AA with DICT,

should complete the application form (Appendix 1) and submit to DICT with all the required documents.

An officer or partner of the applicant willing to be authorized and/or registered will have to sign the application form to the effect that:

- i. The applicant is familiar with and will abide by the provisions of ITU-T Recommendation D.90, ITR and any other relevant regulations.

- ii. The applicant will take full financial and legal responsibility for settling all maritime radio accounts incurred by the maritime mobile station of the Seychelles-flagged vessels they will be representing.

5.2 Processing Fee

There is a one-time non-refundable processing fee of SCR 5,000 for all applications.

6. Requirement for Authorization and/or Registration

In order to be eligible to be granted authorization to act as an AA for Seychelles-flagged vessels and/or register as an AA with DICT, the applicant should:

- 1 - Be a legal entity.
- 2 - Not in the past have violated any Regulations and Recommendations of the ITU.
- 3 - Have a unique AA Identification Code (AAIC) (In the event that the entity is based in Seychelles it would have to be allocated with an AAIC by DICT).
- 4 - Be able to take full financial and legal responsibility for settling all maritime radio accounts incurred by the maritime mobile station on the vessel they represent.

7. Notification of Amendment

The authorized and/or registered AA shall, in the case of any changes in the information provided on the application form, immediately notify DICT in writing.

8. Grant of Approval for Authorization and/or Registration

The DICT shall take into account the criteria defined under Sections 4.4 & 6 and the applicant's experience in the field of maritime accounting or related field before granting approval for authorization and/or registration. DICT may also seek, as per Section 4.2, confirmation of the current status of an applicant as an AA with the administration of the country in which the AA is based.

The approval granted by DICT shall be in a written form and based on the conditions that the applicant will abide to the requirements which it has signed upon when submitting the application form as per Section 5.1. DICT shall add the authorized and/or registered AA to the lists defined under Section 4.3. DICT may also make public the authorized and/or registered AA and, in the case of an authorized AA, the planned date of the commencement to act as an AA for Seychelles-flagged vessels.

9. Refusal of Authorization and/or Registration

Where DICT refuses an application based on the objective criteria set for the authorization and registration of AAs, DICT shall advise the applicant of the refusal in writing.

10. Notification of Termination

In the event that the authorized and/or registered AA desires, as the case maybe, to terminate the provision of AA services to Seychelles-flagged vessels or terminate its registration as an AA with DICT, the AA must:

- 1 - Notify DICT in writing one (1) month in advance;
- 2 - Notify the Seychelles-flagged vessels currently using its service that it will not be providing AA services to Seychelles-flagged vessels anymore and provide them with ample time to procure the services of another AA; and

- 3 - Clear all outstanding payments concerning the Seychelles-flagged vessels.

11. Submission of Ship Station List

The authorized AA shall submit to DICT, the Ship Stations List of Seychelles-flagged vessels when requested by DICT; and in case of any changes in the aforementioned list, notify DICT of any changes, at latest within a month of the change.

12. Revocation of Authorization

The DICT may revoke the authorization of an AA or cancel its registration with DICT, as the case maybe, when the AA:

- 1 - Has been authorized on the basis of a falsified application.
- 2 - Is unreasonably breaching the conditions of the authorization letter.
- 3 - Is violating any Regulations and Recommendations of the ITU.
- 4 - Is recognized by DICT as not in service, without any justified reason, after the planned date of commencement has passed.
- 5 - Has been declared bankrupt.
- 6 - If there is any violation of any national laws and regulations, in the case of an AA registered in Seychelles.

The DICT shall, in the case of any revocation based on the above provide written notice to the AA concerned, including the reasons for such revocation. Upon any revocation DICT shall also remove the name of the AA from the applicable lists under Section 4.3 and notify ITU of the same.

Appendix 1: Application Form

Authorization to Act as Accounting Authority (AA) for Seychelles-Flagged Vessels and/or Registration as an AA with Department Of ICT

All information fields and procedures are mandatory

Name of Organization	
Name of Organization's Representative	
Address of Organization	

Telephone Number	Fax Number	E-Mail Address

1. Please indicate what the application is for:
 - Authorization to Act as an AA for Seychelles-flagged Vessels; or
 - Registration as an AA with the Department of ICT (Organization has to be based in Seychelles); or
 - Both (Organization has to be based in Seychelles).

2. Is your organization familiar with and will abide by the provisions of ITU-T Recommendation D.90, the International Telecommunications Regulations and any relevant regulations?
 - YES NO

3. Is your organization an ITU-registered AA?
 - YES NO

If yes, provide your Assigned Accounting Authority Identification Code (AAIC): _____

4. Mobile communication services to be provided:
 - Inmarsat
 - MF/HF VHF

5. Planned date to effect services: ____/____/____ (DD/MM/YYYY)
6. Will your organization take full financial and legal responsibility for settling all maritime radio accounts incurred by the maritime mobile station on the Seychelles-flagged vessels you will be representing?
- YES NO
7. Please attach the following documents:
- a) An outline of your organization's proposed business activities.
 - b) A copy of the organization's registration document.
 - c) A copy of your organization's Terms and Conditions/contract for maritime mobile communication services.
 - d) A financial statement including a statement from your organization's auditor.
 - e) A guarantee or insurance covering any liability that might originate from the accounting activities.
8. A one-time non-refundable processing fee of SCR 5,000 is applicable for processing the application to become the National AA or ISP for Seychelles. The application fee is payable to DICT as per the banking details in Annex1.
9. All completed forms should be forwarded to the Department of ICT as per the following address and contact details:

Vice-President's Office
Department of Information Communications Technology
Communications Division
P.O. Box 737, Caravelle House, Manglier Street
Victoria
Republic Of Seychelles
Telefax: + (248) 4225325
Telephone: + (248) 4286600
E-mail: communications@ict.gov.sc

I hereby declare that the foregoing facts are true and correct and nothing is false therein and no material has been concealed therefrom. I also agree that in case any information given by me herein before is found false at a later date, the authorization, if granted will be cancelled. I have carefully read and understood the Department of ICT's "*Regulatory Framework for Authorizing and Registering Accounting Authority for Seychelles-flagged vessels*" document.

Name: _____

Designation: _____

Signature: _____

Date: ____/____/____

Annex1: Banking Details

PAYMENT THROUGH BANK TRANSFER

Payment of application fees by telegraphic/wire transfers should be credited to either of the following:

- 1) For **US Dollar** transactions:
BANK NAME: **FEDERAL RESERVE BANK OF NEW YORK**
BANK ADDRESS: **33 LIBERTY STREET, NEW YORK, NY 10045, USA**
SWIFT CODE: **FRNYUS33**
ACCOUNT NUMBER: **021085473**
ABA NUMBER: **021085473**
ACCOUNT NAME: **CENTRAL BANK OF SEYCHELLES**
BENEFICIARY NAME: **GOVERNMENT OF SEYCHELLES**
BENEFICIARY INFORMATION: **DICT-NATIONAL AA APPLICATION FEE**

- 2) For **Euro** transactions:
BANK NAME: **BANQUE DE FRANCE, DGO.DSB.SEPGS**
BANK ADDRESS: **DTF CODE COURRIER 31.2310, 75049 PARIS CEDEX 01, FRANCE**
SWIFT CODE: **BDFEFRPP**
ACCOUNT NUMBER: **5340-4**
IBAN: **FR76 30001 00064 00000053404.72**
ACCOUNT NAME: **CENTRAL BANK OF SEYCHELLES**
BENEFICIARY NAME: **GOVERNMENT OF SEYCHELLES**
BENEFICIARY INFORMATION: **DICT-NATIONAL AA APPLICATION FEE**

- 3) For **Pound Sterling** transactions:
BANK NAME: **BANK OF ENGLAND**
BANK ADDRESS: **THREADNEEDLE STREET LONDON EC2R 8AH, ENGLAND**
SWIFT CODE: **BKENGB2L**
ACCOUNT NUMBER: **42654009**
IBAN: **GB70 BKEN 1000 0042 6540 09**
SORT CODE: **10-00-00**
ACCOUNT NAME: **CENTRAL BANK OF SEYCHELLES**
BENEFICIARY NAME: **GOVERNMENT OF SEYCHELLES**
BENEFICIARY INFORMATION: **DICT-NATIONAL AA APPLICATION FEE**

CASH & CHEQUE PAYMENTS

- 1) For **Seychelles Rupees** transactions:

Cash & Cheque payments should be made at the Department of ICT's Accounts Section at the following address:

Vice-President's Office
Department of Information Communications Technology
P.O. Box 737, Caravelle House, Manglier Street
Victoria
Republic Of Seychelles

All cheques should be addressed to **GOVERNMENT OF SEYCHELLES**.