



## Telecom Decision CRTC 2019-59

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Ottawa, 4 March 2019

### Revocation of basic international telecommunications services licences

*The Commission **revokes** the basic international telecommunications services licences of 37 companies that have failed to comply with the conditions of licence. The Appendix identifies the companies that have had their licences revoked.*

1. All entities that provide basic international telecommunications services (BITS) to Canadians are required, pursuant to subsection 16.1(1) of the *Telecommunications Act* (the Act) and Telecom Decision 2008-70, to be licensed by the Commission.
2. Licensees are subject to annual reporting requirements pursuant to the following condition of licence:

The licensee shall file with the Commission any information required to be filed, in such form as may be prescribed by the Commission. For example, the licensee shall comply with the telecommunications industry data collection process requirements set out in Telecom Circular 2003-1 and Telecom Circular 2005-4, as amended from time to time by the Commission.

3. Despite Commission requests that licensees comply with these filing requirements, a number of licensees failed to comply. Consequently, on 19 December 2018, the Commission, in accordance with subsection 16.4(1) of the Act, sent by registered mail a notice of intent to revoke the BITS licences of those licensees that had failed to comply with their conditions of licence. The licensees were given until 15 January 2019 to file the required information with the Commission or make representations by the same date as to why they should not be required to comply with the conditions of licence.
4. Thirty-seven companies have failed to file the required information or make representations. The Commission, pursuant to subsection 16.4(1) of the Act, therefore **revokes** the licences of the companies listed in the Appendix.
5. The Commission notes that any person providing BITS in Canada without a licence from the Commission may be found guilty of an offence punishable on a summary conviction under subsection 73(1) of the Act, which states:

73 (1) Every person who contravenes subsection 16(4) or 16.1(1) or (2) or section 17 is guilty of an offence punishable on summary conviction and liable

- (a) in the case of an individual, to a fine not exceeding fifty thousand dollars for a first offence, or one hundred thousand dollars for a subsequent offence; or

- (b) in the case of a corporation, to a fine not exceeding five hundred thousand dollars for a first offence, or one million dollars for a subsequent offence.

The Commission also notes that any person providing BITS in Canada without a licence may have an administrative monetary penalty imposed on them pursuant to section 72.001 of the Act.

Secretary General

### **Related documents**

- *Review of the basic international telecommunications services licensing regime*, Telecom Decision CRTC 2008-70, 11 August 2008
- *Telecommunications industry data collection: updating of CRTC registration lists, telecommunications fees, Canadian revenue-based contribution regime, international licences and monitoring of the Canadian telecommunications industry*, Telecom Circular CRTC 2005-4, 9 February 2005
- *Telecommunications industry data collection: updating of CRTC registration lists, telecommunications fees, Canadian contribution mechanism fund administration, international licences and monitoring of the Canadian telecommunications industry*, Telecom Circular CRTC 2003-1, 11 December 2003

## **Appendix to Telecom Decision CRTC 2019-59**

### **List of companies that have failed to comply with the conditions of the BITS licence**

1199368 Alberta Ltd.

4477464 CANADA INC.

5LINX Canada Inc.

7867263 Canada Incorporated

ABS-CBN Telecom North America, Inc.

AKA Investments LLC

AppJacket, Inc.

AstraQom Canada Corporation

BELLENTREPRISES SPRL Inc.

Callture Inc.

Canyon.TV, Incorporated

COMMLINK ALBERTA LTD.

Conquoror Global Solutions Limited

Digital Technology Canada Ltd.

Exodus Communications Inc.

GC Pivotal, LLC

Global Telecom Exchange LLC

Harris Canada Systems, Inc.

iAbitibi

JUCH-TECH Inc.

NECC Telecom, Inc.

Net-Neutral Inc.

Neutral Skies Inc.

North American Telecommunications Corp.

Okanagan Telephone Company Ltd.

PCCW Global Inc.

Pulse Telecom Inc.

Rayan Telecom Inc.

Switch Inc.

TeamViewer GmbH

Telcan Inc.

Telenap Canada Corp.

Telephone Navigata-Westel Communication Inc.

Trutel Inc.

UBIX Communications Inc.

uiSMS Communications Inc.

WebK Inc.