

NCC regulates significant market powers in telecoms

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The new Telecommunications Act will take effect and apply to all telecoms service providers from July 2020. The new act has adopted a light-handed approach to the regulation of telecoms services provided in Taiwan with the exception of identified significant market powers in telecoms (for further details please see "[New Telecommunications Act on horizon](#)"). Rather than focus on dominant market players in the category of Type I operators (ie, facility-based operators) under the former Telecommunications Act, the new act defines 'significant market powers in telecoms' as follows and authorises the National Communications Commission (NCC) to take anti-monopoly measures when necessary:

- operators that have the power to drive market price;
- operators that have subscriber numbers or business revenue generated from a designated telecoms service market which exceeds the percentage of market share ordered by the NCC; and
- operators that possess or control essential facilities.

The NCC published five regulations for public comment on 9 June 2020 in relation to standards on identifying significant market powers in the telecoms sector and relevant mandatory rules on rate control, interconnection agreements and accounting separation.

Previously, the NCC required operators to have a 25% market share to be considered dominant market players in the Type I category, but this will change to a 50% market share under the new act. The NCC is expected to publish more regulations addressing the fundamental changes to the Telecommunications Act by end of June 2020.

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