

FRENCH POLYNESIA

Providing Satellite Internet Services?

Photo by NASA on Unsplash

January 2024

INTERNET FREEDOM

NA

INTERNET PENETRATION

73%

FREQUENCY

C-band and Ku-Band

This document provides basic information about legal aspects of satellite internet services when provision of these services is being considered. This fact sheet comprises general guidance and cannot be a replacement for legal advice.

OVERVIEW

The contents of this factsheet pertain to the laws, regulations, and guidelines that prescribe the norms and obligations governing the provision and operation of satellite internet services in French Polynesia.

RELEVANT LAWS AND REGULATIONS

French Polynesia is regarded as an Overseas Collectivities which grants it a certain level of legislative independence from France. As a result, laws passed in France do not automatically apply to French Polynesia, except when explicitly stated in the legislation. Therefore, only three specific articles from the Post and Electronic Communications Code enacted by France (PECC) regarding electronic communications -- Articles L41, L43, and L97 -- are applicable in French Polynesia.

REGULATORY BODIES

- The Office des postes et telecommunications (OPT) is the state-owned telecommunications operator.
- The Service des Postes et Télécommunications de Polynésie Française (SPT) controls frequencies and issues licenses.
- The Direction Generale De L'Economie Numerique (DGEN) is responsible for the digital economy.
- The Polynesian Competition Authority (l'Autorite Polynesienne de la Concurrence, APC) regulates the telecom market to ensure competition.
- The Agence Nationale Des Fréquences (ANFR) is the government agency in charge of managing radio frequencies for various services, such as satellites.

ELIGIBILITY FOR LICENSING

In 2010, the legislature passed a law that specifically targeted the telecom market. According to this law, foreign operators are prohibited from investing more than 35%.

TYPES OF LICENSES

While Article L33-1 of the PECC states that a license is not required for the establishment and operation of electronic communications networks and the provision of electronic communications services, it is important to note that this Article does not apply to French Polynesia. However, the following licenses have been identified as relevant:

- Telecommunications Operator License:** To conduct network operations, a service provider must apply for this license. There is no specified validity period for this license.
- Radiofrequency License:** This license is granted by OPT and may remain valid for up to 20 years.

ARE THERE INTERNET RESTRICTIONS?

While there is no definitive data on the extent of internet freedom, experts suggest that there is no significant censorship or blocking of websites in French Polynesia. However, authorities can request the removal of certain content.

LEGAL NATURE OF SATELLITE INTERNET

French Polynesia lacks a regulatory framework for satellite-based internet services. However, it serves as a central location for various satellite communication systems. The territory houses the uplink systems for the Galileo Satellite Network, the Kacific-1, and the Internet Satellite Network.

END USERS' LICENSES

There is no licensing requirement identified for end users of satellite internet systems. There are three mobile network providers that offer telephony services and internet access: Vini (operated by the government-owned OPT), Vodafone, and Viti. OPT/Vini uses the NSS-9 satellite from SES network to provide satellite internet connectivity, in addition to its terrestrial infrastructure. However, it is unclear whether Vodafone and Viti also utilize satellite technology for internet access.