

FOR IMMEDIATE RELEASE

Symbiote’s Operations to Halt Following Appeal Court Decision

(KINGSTON, Jamaica; 2019 March 31): The Office of Utilities Regulation (OUR) advises the public that as a result of a Court of Appeal decision on 2019 March 29, Symbiote Investment Limited (Symbiote), which operates as Caricel, is not authorised to own or operate a facility, nor is it permitted to provide telecommunications or other specified services, as defined in the Telecommunications Act, to the public.

The Court of Appeal denied Symbiote’s application for a stay of the Minister of Science, Energy and Technology’s decision to revoke its telecommunications licences, and set aside the order granting it permission to appeal.

The Court’s decision upheld the 2018 December Supreme Court decision to deny Symbiote’s application for leave to apply for judicial review of the Minister’s decision. The Court of Appeal also refused the company’s request that a temporary stay be granted until it makes an application for permission to appeal to the Privy Council.

The Minister, by letter dated 2018 June 12, indicated that with effect from 2018 April 10 the following telecommunications licences issued to Symbiote Investments Limited under the Telecommunications Act (the Act) were revoked:

- Licence No. 97/2015 - Mobile Service Provider (Symbiote Investments Limited), Licence 2015
- Licence No. 98/2015 - Mobile Carrier (Symbiote Investments Limited), Licence 2015
- Licence No. 113/2016 - Service Provider Licence [International (Voice & Data) Services]
- Licence No. 114/2016 - Carrier Licence
- Licence No. 115/2016 - Service Provider Licence [Domestic Voice Services]
- Licence No. 116/2016 - Service Provider Licence [Internet Services]

Symbiote challenged the Minister’s decision, but on 2018 December 7, the Supreme Court denied its application for leave to apply for judicial review of the Minister’s decision.

Symbiote's Operations to Halt .../2

Symbiote appealed to the Court of Appeal for leave to appeal the Supreme Court's decision and for a stay of execution of the Minister's decision, which resulted in the ruling from the Court of Appeal on 2019 March 29.

Following the Court's decision, within the coming weeks, the OUR will be exercising its powers under the Telecommunications Act to ensure compliance with the provisions of the Act and to protect the interest of consumers.

-30-

Contact: Elizabeth Bennett Marsh - Public Education Specialist: 876-968-6053