



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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General Notices

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 10

2016

NOTICE IN TERMS OF THE REGULATIONS REGARDING THE SUBMISSIONS OF INTERCONNECTION AGREEMENTS AND TARIFFS

The Communications Regulatory Authority of Namibia, in terms of Section 53(10) of the Communications Act, 2009 (Act No. 8 of 2009) read with regulation 8(1) of the “Regulations Regarding the Submission of Interconnection Agreements and Tariffs”, in Government Gazette No. 4714, Notice No. 126, dated 18 May 2011, herewith gives notice that **Mobile Telecommunications Limited (MTC)** has filed tariffs with the Authority as set out in Schedule 1.

Any person may examine copies of the tariffs submitted at the head offices of the Authority during normal business hours and copies may be made on payment of a fee determined by the Authority. Copies are also available at www.cran.na where copies may be downloaded free of charge.

The public may submit in writing to the Authority written comments within fourteen (14) days from the date of publication of this notice in the *Gazette*.

Mobile Telecommunications Limited (MTC) may submit, in writing to the Authority, a response to any written comments within fourteen (14) days from the lapsing of the time to submit written submissions.

All written submissions must contain the name and contact details of the person making the written submissions and the name and contact details of the person for whom the written submissions is made, if different and be clear and concise.

All written submissions and reply comments must be made either physically or electronically –

- (1) by hand to the head offices of the Authority, namely Communication House, 56 Robert Mugabe Avenue, Windhoek;
- (2) by post to the head offices of the Authority, namely Private Bag 13309, Windhoek 9000;
- (3) by electronic mail to the following address: legal@cran.na; and
- (4) by facsimile to the following facsimile number: +264 61 222790.
- (5) by fax to e-mail to: 0886550852

L.N. JACOBS
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

SCHEDULE 1**SUBMISSION OF PROPOSED TARIFFS
BY MOBILE TELECOMMUNICATIONS LIMITED (MTC)
COMMUNICATIONS ACT, 2009****NEW NETMAN PREPAID BUNDLES**

1. The add-on NetMan Bundles will be available to prepaid customers that are on the Netman Instant and NetMan Home Prepaid Service Plans
2. There are 3 NetMan Add-on Bundles

Name	Data Volume	Cost N\$	Validity Hours
Netman 1	1 GB	29.00	24 hours(1 Day)
Netman 3	5 GB	79.00	72 hours (3 Day)
Netman 7	10 GB	149.00	168 hours (7 Days)

NEW DATA BUNDLES

1. The add-on Data Bundles will be available to all customers excluding customers that make use of Turbo Boost based Service Plans
2. There are 7 Add-on Data Bundles

Product	Price N\$	Bundle Volume – excl VAT	In bundle rate per MB N\$	Validity Period (Days)
New MTC	12.00	40 MB	0.30	60
New MTC	19.00	80 MB	0.24	60
New MTC	79.00	400 MB	0.20	60
New MTC	129.00	800 MB	0.16	60
New MTC	219.00	1.5 GB	0.14	60
New MTC	329.00	3 GB	0.11	60
New MTC	999.00	15 GB	0.07	60

Please note that the full tariff submission including the terms and conditions and the remedies available to the consumers can be obtained from the Authority

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 11

2016

NOTICE IN TERMS OF SECTION 53 (7) OF THE COMMUNICATIONS ACT, 2009 (ACT
NO. 8 OF 2009) READ WITH THE REGULATIONS REGARDING THE SUBMISSIONS OF
INTERCONNECTION AGREEMENTS AND TARIFFS

The Communications Regulatory Authority of Namibia, in terms section 53(1) and (7) of the Communications Act read with regulation 8 of the “Regulations Regarding the Submission of Interconnection Agreements and Tariffs”, in Government Gazette No. 4714, Notice No. 126, dated 18 May 2011, herewith gives notice that it has approved the amendment of tariffs as submitted by **Salt Essential IT (Pty) Ltd**, which came into force and effect on **18 December 2015**, notwithstanding date of publication of the notice in the *Gazette*.

THE FOLLOWING ARE THE REASONS FOR THE DECISION:**1. INTRODUCTION**

In terms of section 53 (1) and (7) of the Communications Act, 2009 (Act No. 8 of 2009) (hereinafter referred to as “the Act”), Salt Essential IT (Pty) Ltd (hereinafter referred to as “Salt Essential”), filed for the approval of the amendment of tariffs for its products on 31 August 2015.

2. PROCEDURAL COMPLIANCE

The proposed tariffs were published as General Notice No. 512 in the Government *Gazette* No. 5867 dated 2 November 2015 for public comments, in terms of section 53 (10) of the Act and regulation 8 of the “Regulations Regarding the Submission of Interconnection Agreements and Tariffs” published in Government Gazette No. 4714 of 18 May 2011.

The public comments lapsed on 16 November 2015 and no comments were received in respect of the tariffs, and as such no reply comments were required from Salt Essential.

The tariffs were submitted on 31 August 2015 and the date of implementation was 1 November 2015, being 60 days from the date of submission as required by section 53 (8) of the Communications Act. On 11 September 2015 CRAN requested additional information from Salt Essential which was submitted in 29 September 2015 with a new cover letter requesting the new implementation date to be 1 December 2015.

3. TARIFF ANALYSIS

The tariff information is as follows:

TABLE 1: TARIFFS

LICENSEE: Salt Essential Information Technology (PTY) Ltd.				
Product	Qty. Unit	Old Tariff per Unit N\$	New Tariff per Unit N\$	% Increase
<i>Messaging & Collaboration Services</i>				
MS Exchange Messaging (1 GByte, Anti-Spam, ActiveSync, Backup, CAL, Outlook License and Software)	per mailbox	84.00	92.40	10%
MS Exchange Messaging (1 GByte, Anti-Spam, ActiveSync, Backup, CAL, Outlook License and Software) for customers with more than 200 mailboxes	per mailbox	73.50	product discontinued	
MS Exchange Messaging (1 GByte, Anti-Spam, ActiveSync, Backup, CAL, Outlook License but no software)	per mailbox	63.00	69.30	10%
- Fax Integration (GFI)	per user (optional)	81.50	89.65	10%
Mail Archiving (Backup, License, Web Access)	per user (optional)	12.80	14.08	10%
<i>WAN Services</i>				
WAN - Link between Customer and SALT Co-Location (Metro Ethernet - MPLS link Kbps as per last mile link, for pro rata usage on Metro E link to MPLS cloud)	per kbps	0.53	0.58	10%
<i>DNS & Web Services</i>				
Domain Name & Website Hosting (1 second level .na domain, e.g. com.na, 1 GByte Website space)	per website	141.00	155.10	10%

The increase in tariffs requested was 10%. The average inflation rate for the period 1 October 2014 to 1 October 2015 was 3.72%. At the same time the exchange rate fluctuated between N\$ 10.66 and N\$ 13.82 for 1 US\$; a change of 29.64% (www.oande.com). Salt Essential also indicated the following cost increases: electricity, rent, licence costs from vendors and salary costs.

In monetary terms, these increases are not high even though they seem high in percentage terms. The tariffs are not deemed anti-competitive and are not unreasonably discriminatory in that:

1. They do not prevent, restrict or distort competition in the market for the supply of telecommunications;
2. There is no abuse of individual or collective dominant position by Salt for the supply of telecommunications in respect hereof;
3. There is no restrictive practice or activity whose anti-competitive effects outweigh its pro-competitive effective.

All requirements in terms of section 53 of the Act that deals with the approval of tariffs have been adhered to in that:

1. All pertinent information as required by section 53(7) was submitted to the Authority in that Salt filed the tariff in the prescribed manner with the Authority for approval.
2. All pertinent information as required by section 53(9) was submitted to the Authority such as:
 - 2.1 The rates and charges for services, including all deposits, non-recurring charges and monthly charges;
 - 2.2 The terms and conditions applicable to the provision of services by Salt, including rights and remedies available to customers in the event of unauthorized charges or other disputes or claims over billing or the provision of services, and any other information requested by the Authority pursuant to this section.
3. The date of implementation was indicated as 1 November 2015 (which date is not less than 60 days from the date of the filing of the tariff) as required by section 53(8) of the Act. On the 11th September 2015 the Authority send a letter to Salt requesting additional information to which Salt Essential responded on 29 September 2015. The date of implementation therefore changed to 1 December 2015.

4. **DECISION**

The Authority herewith approves the proposed tariffs for Salt Essential IT (Pty) Ltd as submitted for implementation effective from 18 December 2015.

L.N. JACOBS
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 12

2016

NOTICE IN TERMS OF SECTION 53 (7) OF THE COMMUNICATIONS ACT, 2009 (ACT NO. 8 OF 2009) READ WITH THE REGULATIONS REGARDING THE SUBMISSIONS OF INTERCONNECTION AGREEMENTS AND TARIFFS

The Communications Regulatory Authority of Namibia, in terms section 53(1) and (7) of the Communications Act read with regulation 8 of the “Regulations Regarding the Submission of Interconnection Agreements and Tariffs”, in Government Gazette No. 4714, Notice No. 126, dated 18 May 2011, herewith gives notice that it has approved tariffs for Broadband Wireless as submitted by **Converged Telecommunications Solutions (Pty) Ltd**, which came into force and effect on **15 December 2015**, notwithstanding date of publication of the notice in the *Gazette*.

THE FOLLOWING ARE THE REASONS FOR THE DECISION:

1. INTRODUCTION

In terms of section 53 (1) and (7) of the Communications Act, 2009 (Act No. 8 of 2009) (hereinafter referred to as “the Act”), Converged Telecommunications Solutions (Pty) Ltd (hereinafter referred to as “CTS”), filed for the approval of tariffs for Broadband Wireless tariffs on 9 October 2015.

2. PROCEDURAL COMPLIANCE

The proposed tariffs were published as General Notice No. 514 in the Government Gazette No. 5867 dated 2 November 2015 in terms of Regulation 8 of the “Regulations Regarding the Submission of Interconnection Agreements and Tariffs” published in Government Gazette No. 4714 of 18 May 2011.

Comments were invited from the public, in terms of the Notice published in the *Gazette*, within a period of fourteen (14) days from the date of publication of the Notice in the *Gazette*, which period lapsed on 16 November 2015.

No public comments were received in respect of the tariffs as published during the commenting period, and as such no reply comments were required from CTS. The date of commencement of the tariffs was 15 December 2015.

3. FINANCIAL AND ECONOMIC ANALYSIS OF THE CONVERGED TELECOMMUNICATIONS SOLUTIONS (PTY) LTD PURE TARIFFS

The tariff information is as follows:

Table 1: Proposed Tariffs

Name	Service	Wholesale Transfer Price/ Month N\$ monthly (Excl VAT)
Pure 500	512k up/512 down	1,500.00
Pure 1000	1024 up/1024k down	2,900.00
Pure 2000	2048 up/2048k down	5,000.00
Pure 3000	3072 up/3072 down	7,500.00
Pure 4000	4096 up/4096 down	9,500.00
Pure 5000	5120 up/5120 down	12,500.00
Cost of CPE Once Off		7,250.00

CPE lease		375.00p/m x 24 months
Installation Once Off		1,500.00

**All charges are excluding VAT unless stated otherwise
Package include an SLA commitment of 99.5% uptime.*

Table 2: Tariff Comparison

OPERATOR	PRODUCT	CAP – GIG	UPLOAD/ DOWNLOAD SPEED -Kbps	RETAIL PRICE- N\$/ MONTH	CONTRACT PERIOD
CTS	Pure	Unlimited	2048/2048	5,000.00	12 months
Paratus	Professional	80GB	2048/4096	1,680.00	24 months
CTS	WIMAX Busi- ness	100GB	1024/2048	1,950.00	12 months
Africa Online	WIMAX	60 GB	1024/2048	3,499.00	12 months

The tariffs were compared with WiMAX tariffs from Paratus Telecommunications (Pty) Ltd, previously submitted tariffs for CTS and MWireless (Pty) Ltd t/a Africa Online. The comparisons are difficult since the tariffs are based on different up- and download speeds and the Paratus Telecom tariffs are valid for a 24-month contract period. All the other products are capped whereas this product has unlimited data usage.

The tariffs are not deemed anti-competitive and are not unreasonably discriminatory in that:

1. They do not prevent, restrict or distort competition in the market for the supply of telecommunications;
2. There is no abuse of individual or collective dominant position by CTS for the supply of telecommunications in respect hereof;
3. There is no restrictive practice or activity whose anti-competitive effects outweigh its pro-competitive effective.

All requirements in terms of section 53 of the Act that deals with the approval of tariffs have been adhered to in that:

1. All pertinent information as required by section 53(7) was submitted to the Authority in that CTS filed the tariff in the prescribed manner with the Authority for approval.
2. All pertinent information as required by section 53(9) was submitted to the Authority such as:
 - 2.1 The rates and charges for services, including all deposits, non-recurring charges and monthly charges; and
 - 2.2 The terms and conditions applicable to the provision of services by CTS, including rights and remedies available to customers in the event of unauthorized charges or other disputes or claims over billing or the provision of services, and any other information requested by the Authority pursuant to this section.
3. The date of implementation was indicated as 15 December 2015 (which date is not less than 60 days from the date of the filing of the tariff) as required by section 53(8) of the Act.

4. DECISION

The Authority herewith approved the proposed tariffs for broadband wireless network (PURE) tariffs as submitted by Converged Telecommunications Solutions (Pty) Ltd for implementation effective from 15 December 2015.

L.N. JACOBS
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 13

2016

NOTICE IN TERMS OF SECTION 53 (7) OF THE COMMUNICATIONS ACT, 2009 (ACT NO. 8 OF 2009) READ WITH THE REGULATIONS REGARDING THE SUBMISSIONS OF INTERCONNECTION AGREEMENTS AND TARIFFS

The Communications Regulatory Authority of Namibia, in terms section 53(1) and (7) of the Communications Act read with regulation 8 of the “Regulations Regarding the Submission of Interconnection Agreements and Tariffs”, in Government Gazette No. 4714, Notice No. 126, dated 18 May 2011, herewith gives notice that it has approved tariffs for Nawagate product as submitted by **MWireless (Pty) Ltd t/a Africa Online**, which came into force and effect on **18 December 2015**, notwithstanding date of publication of the notice in the *Gazette*.

THE FOLLOWING ARE THE REASONS FOR THE DECISION:

1. INTRODUCTION

In terms of section 53 (1) and (7) of the Communications Act, 2009 (Act No. 8 of 2009) (hereinafter referred to as “the Act”), MWireless (Pty) Ltd t/a Africa Online (hereinafter referred to as “AOL”), filed for the approval of tariffs for the Nawagate product on 11 August 2015.

2. PROCEDURAL COMPLIANCE

The proposed tariffs were published as General Notice No. 516 in the Government Gazette No. 5867 dated 02 November 2015 in terms of Regulation 8 of the “Regulations Regarding the Submission of Interconnection Agreements and Tariffs” published in Government Gazette No. 4714 of 18 May 2011.

Comments were invited from the public, in terms of the Notice published in the *Gazette*, within a period of fourteen (14) days from the date of publication of the Notice in the *Gazette*, which period lapsed on 16 November 2015.

No public comments were received in respect of the tariffs as published during the commenting period, and as such no reply comments were required from AOL. The date of commencement of the tariffs was 25 November 2015. On the 24th of November 2015, the Authority postponed the implementation date to 18th December 2015 to afford the Authority an opportunity to consider the reasonableness of the tariffs.

3. FINANCIAL AND ECONOMIC ANALYSIS OF THE MWIRELESS (PTY) LTD T/A AFRICA ONLINE NAWAGATE TARIFF

Nawagate is a new low cost firewall solution to benefit small and medium enterprises that wish to secure their network from any unauthorized access. The package was submitted as promotional tariffs in terms of section 53(2).

During the promotional period the product was offered at N\$ 275.00/month.

The tariff information is as follows:

Table 1: Proposed Tariffs

• Package name	• Rental Per month
• Nawagate	• 324.50

No other product offering could be found to compare this product to. Most firewall solutions are offered as part of packages e. g. by Telecom Namibia to their business customers when hosting email and websites. There are also many open access software available for this type of service.

- The tariffs are not deemed anti-competitive and are not unreasonably discriminatory in that:
 - a) They do not prevent, restrict or distort competition in the market for the supply of telecommunications;
 - b) There is no abuse of individual or collective dominant position by Africa Online for the supply of telecommunications in respect hereof;
 - c) There is no restrictive practice or activity whose anti-competitive effects outweigh its pro-competitive effective.

All requirements in terms of section 53 of the Act that deals with the approval of tariffs have been adhered to in that:

- a) All pertinent information as required by section 53(7) was submitted to the Authority in that Africa Online filed the tariff in the prescribed manner with the Authority for approval.
- b) All pertinent information as required by section 53(9) was submitted to the Authority such as:
- c) The rates and charges for services, including all deposits, non-recurring charges and monthly charges;

The terms and conditions applicable to the provision of services by Africa Online, including rights and remedies available to customers in the event of unauthorized charges or other disputes or claims over billing or the provision of services, and any other information requested by the Authority pursuant to this section.

- The date of implementation was indicated as 10 October 2015 (which date is 60 days from the date of the filing of the tariff) as required by section 53(8) of the Act. On 2 September 2015 the Authority send a letter to Africa Online requesting additional information to which Africa Online responded on 25 September. The date of implementation therefore changed to 25 November 2015.

- The Authority postponed the date of commencement of the tariff with 22 days in terms of section 53(13) of the Act to examine the reasonableness of the tariff to 18th December 2015.

4. DECISION

The Authority herewith approved the proposed tariffs for Nawagate as submitted by Africa Online for implementation effective from 18 December 2015

L.N. JACOBS
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 14

2016

NOTICE IN TERMS OF SECTION 53 (7) OF THE COMMUNICATIONS ACT, 2009 (ACT NO. 8 OF 2009) READ WITH THE REGULATIONS REGARDING THE SUBMISSIONS OF INTERCONNECTION AGREEMENTS AND TARIFFS

The Communications Regulatory Authority of Namibia, in terms section 53(1) and (7) of the Communications Act read with regulation 8 of the “Regulations Regarding the Submission of Interconnection Agreements and Tariffs”, in Government Gazette No. 4714, Notice No. 126, dated 18 May 2011, herewith gives notice that it has approved tariffs for Nawaspot product as submitted by **MWireless (Pty) Ltd t/a Africa Online**, which came into force and effect on **18 December 2015**, notwithstanding date of publication of the notice in the *Gazette*.

THE FOLLOWING ARE THE REASONS FOR THE DECISION:

1. INTRODUCTION

In terms of section 53 (1) and (7) of the Communications Act, 2009 (Act No. 8 of 2009) (hereinafter referred to as “the Act”), MWireless (Pty) Ltd t/a Africa Online (hereafter referred to as “AOL”) filed for the approval of tariffs for the Nawaspot product on 5 August 2015.

2. PROCEDURAL COMPLIANCE

The proposed tariffs were published as General Notice No. 515 in the Government Gazette No. 5867 dated 2 November 2015 in terms of Regulation 8 of the “Regulations Regarding the Submission of Interconnection Agreements and Tariffs” published in Government Gazette No. 4714 of 18 May 2011.

Comments were invited from the public, in terms of the Notice published in the *Gazette*, within a period of fourteen (14) days from the date of publication of the Notice in the *Gazette*, which period lapsed on 16 November 2015.

No public comments were received in respect of the tariffs as published during the commenting period, and as such no reply comments were required from AOL. The date of commencement of the tariffs was indicated as 25 November 2015. On 24 November 2015, the Authority postponed the implementation date to 18 December 2015 to afford the Authority an opportunity to consider the reasonableness of the tariffs.

3. FINANCIAL AND ECONOMIC ANALYSIS OF THE MWIRELESS (PTY) LTD T/A AFRICA ONLINE NAWASPOT TARIFF

The tariff for Nawaspot was reduced and the package was submitted as promotional tariff in terms of section 53(2). During the promotion period the tariff was reduced to N\$ 385.00/month.

The tariff information is as follows:

Table 1: Proposed Tariff

Package Name	Rental per month
Nawaspot	N\$ 500.00
Computer System	
Wireless Router	
Setup	

Nawaspot is a device connected to the Internet to manage Wi-Fi Hotspots aimed at benefitting the hospitality trade, schools and businesses that wish to have easy access to the Internet and emails at affordable prices.

Since this is a device that will be rented on a monthly basis no comparative prices could be found in the market.

The tariffs are not deemed anti-competitive and are not unreasonably discriminatory in that:

1. They do not prevent, restrict or distort competition in the market for the supply of telecommunications;
2. There is no abuse of individual or collective dominant position by AOL for the supply of telecommunications in respect hereof;
3. There is no restrictive practice or activity whose anti-competitive effects outweigh its pro-competitive effective.

All requirements in terms of section 53 of the Act that deals with the approval of tariffs have been adhered to in that:

1. All pertinent information as required by section 53(7) was submitted to the Authority in that AOL filed the tariff in the prescribed manner with the Authority for approval.
2. All pertinent information as required by section 53(9) was submitted to the Authority such as:
 - 2.1 The rates and charges for services, including all deposits, non-recurring charges and monthly charges; and
 - 2.2 The terms and conditions applicable to the provision of services by AOL, including rights and remedies available to customers in the event of unauthorized charges or other disputes or claims over billing or the provision of services, and any other information requested by the Authority pursuant to this section.
3. The date of implementation was indicated as 5 October 2015 (which date is not less than 60 days from the date of the filing of the tariff) as required by section 53(8) of the Act. On 9 September 2015 the Authority sent a letter to AOL requesting additional information to

which AOL responded on 25 September 2015. The date of implementation therefore changed to 25 November 2015.

The Authority postponed the date of commencement of the tariff with 22 days in terms of section 53(13) of the Act to examine the reasonableness of the tariff to 18 December 2015.

4. **DECISION**

The Authority herewith approved the proposed tariffs for Nawaspot as submitted by MWireless (Pty) Ltd t/a AfricaOnline for implementation effective from 18 December 2015.

L.N. JACOBS
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 15

2016

NOTICE IN TERMS OF SECTION 53 (7) OF THE COMMUNICATIONS ACT, 2009 (ACT NO. 8 OF 2009) READ WITH THE REGULATIONS REGARDING THE SUBMISSIONS OF INTERCONNECTION AGREEMENTS AND TARIFFS

The Communications Regulatory Authority of Namibia, in terms section 53(1) and (7) of the Communications Act read with regulation 8 of the “Regulations Regarding the Submission of Interconnection Agreements and Tariffs”, in Government Gazette No. 4714, Notice No. 126, dated 18 May 2011, herewith gives notice that it has approved tariffs for YUR SAT packages as submitted by **Paratus Telecommunications (Pty) Ltd**, which came into force and effect on **18 December 2015**, notwithstanding date of publication of the notice in the *Gazette*.

THE FOLLOWING ARE THE REASONS FOR THE DECISION:

1. INTRODUCTION

In terms of section 53 (1) and (7) of the Communications Act, 2009 (Act No. 8 of 2009) (hereinafter referred to as “the Act”), Paratus Telecommunications (Pty) Ltd (hereinafter referred to as “Paratus Telecom”), filed for the approval of tariffs for new YUR SAT packages on 1 September 2015.

2. PROCEDURAL COMPLIANCE

The proposed tariffs were published as General Notice No. 513 in the Government Gazette No. 5867 dated 2 November 2015 in terms of Regulation 8 of the “Regulations Regarding the Submission of Interconnection Agreements and Tariffs” published in Government Gazette No. 4714 of 18 May 2011.

Comments were invited from the public, in terms of the Notice published in the *Gazette*, within a period of fourteen (14) days from the date of publication of the Notice in the *Gazette*, which period lapsed on 16 November 2015.

No public comments were received during the commenting period in respect of the tariffs published and as such no reply comments were required from Paratus Telecom.

3. FINANCIAL AND ECONOMIC ANALYSIS OF THE PARATUS TELECOMMUNICATIONS (PTY) LTD TARIFFS FOR NEW YUR SAT PACKAGES

The tariffs were initially submitted under section 53(2) of the Act as a promotion for a period of 90 days from 1 July 2015 – 30 November 2015. During the promotional period, the customer received a free WiFi access point valued at N\$ 1,320.00 (once-off).

The tariff information is as follows:

Table 1: Proposed Tariffs

Name	VSAT monthly pricing options	CAP limit	Reseller	Retail
Uncapped Bronze	256Kbps up / 1024Kbps down	Uncapped	850	935
Capped 20	512Kbps up / 2048Kbps down	20 Gig	1,430	1,575
Uncapped Silver	512Kbps up / 2048Kbps down	Uncapped	1,710	1,880
Capped 40	512Kbps up / 4096Kbps down	40 Gig	3,030	3,340
Capped 50	512Kbps up / 10240Kbps down	50 Gig	4,350	4,785
Uncapped Gold	512Kbps up / 10240Kbps down	Uncapped	6,660	7,330
	1 Gig Top Up		268	290

Once off costing options	
Yealink cordless phone	1,386.00
Wireless Access Point	1,320.00
Hardware Option 1 (1 - 10 Users)	9,234.50
Hardware Option 2 (10+ users)	18,911.75
Travel (per Km cost)	4.50
Installation fee	1,500.00

Terms:

1. All pricing N\$ and Ex VAT
2. Pricing only includes wall mount kit and additional work will be charged separately
3. Pricing based on a 12-months contract

TABLE 2: COMPARISON FOR 50 GIGABYTE PACKAGES

OPERATOR	PRODUCT	CAP - GIG	UPLOAD/DOWN-LOAD SPEED -Kbps	RETAIL PRICE- N\$/ MONTH
Paratus	YUR SAT Capped 50	50	512/10240	4,785.00
Africa Online (AOL)	NAWASAT	60	512/6144	8,999.00
AOL	Afri KA – Consumer 15000	50	2560/15360	3,499.00
AOL	Afri KA – Professional2000	50	512/2048	2,999.00
Telecom Namibia	VSAT	50		Not Available
MTN Business	BIZSAT	50	384/1024	15,060.00

TABLE 3: COMPARISON FOR UNLIMITED PACKAGES

OPERATOR	PRODUCT	CAP - GIG	UPLOAD/ DOWNLOAD SPEED -Kbps	RETAIL PRICE- NS/ MONTH
Paratus	Uncapped Bronze	Unlimited	512 / 2048	935,00
AOL	Afri KA – Professional1000	Unlimited	512/1024	7,999.00
Telecom Namibia	VSAT	Unlimited	384/1024	16,209.00

The product is a VSAT product aimed at farmers and lodges. One of the advantages of the product is that it can handle up to 2 voice calls, best effort. This means quality of service cannot be guaranteed on a voice call since it is a satellite call.

The price was compared to other VSAT products in the market. There are a number of other operators providing VSAT services in the market such as MWireless (Pty) Ltd t/a Africa Online, Telecom Namibia Limited and MTN Business Namibia (Pty) Ltd.

The retail prices are Telecom Namibia's uncapped VSAT offering by 94%.

As Paratus Telecom is not a dominant operator they thus are not required to offer reseller discounts according to section 51(2) of the Act. The 10% discount offered is thus voluntary.

VSAT services are further offered by three other licensees (Africa Online, MTN and Telecom Namibia) - all based on their own infrastructure. This service segment is thus sufficiently competitive and therefore the Authority does not have to intervene on wholesale prices. The bi-annual data submission by operators for June 2015 further indicated that Telecom Namibia is the main provider of VSAT services in Namibia with 337 subscribers. SALT was the only other licensee indicating that it had VSAT subscribers.

The Authority therefore resolved to approve both retail and wholesale prices. Wholesale prices may be reviewed at a later stage should complaints be raised by access seeking licensees and if Telecom is found to be dominant for VSAT services. The latter would require a review of market definitions and defining VSAT services as a separate market.

The tariffs are not deemed anti-competitive and are not unreasonably discriminatory in that:

1. They do not prevent, restrict or distort competition in the market for the supply of telecommunications;
2. There is no abuse of individual or collective dominant position by Paratus Telecom for the supply of telecommunications in respect hereof; and
3. There is no restrictive practice or activity whose anti-competitive effects outweigh its pro-competitive effects.

All requirements in terms of section 53 of the Act that deals with the approval of tariffs have been adhered to:

1. All pertinent information as required by section 53(9) was submitted to the Authority in that Telecom filed the tariff in the prescribed manner with the Authority for approval.
2. All pertinent information as required by section 53(9) was submitted to the Authority such as:
 - 2.1 The rates and charges for services, including all deposits, non-recurring charges and monthly charges as indicated above;

- 2.2 The terms and conditions applicable to the provision of services by Paratus Telecom, including rights and remedies available to customers in the event of unauthorized charges or other disputes or claims over billing or the provision of services, and any other information requested by the Authority pursuant to this section.
3. All pertinent information as required by section 53(18) was submitted to the Authority such as:
 - 3.1 The tariff was accompanied by all such accounting and cost information as required by section 53(18) of the Act.
 - 3.2 The date of implementation was indicated as 1 December 2015 (which date is not less than 60 days from the date of the filing of the tariff) as required by section 53(8) of the Act.

4. DECISION

The Authority herewith approves the proposed tariffs for new YUR SAT Products as submitted by Paratus Telecommunications (Pty) Ltd for implementation effective from 18 December 2015.

L.N. JACOBS
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 16

2016

NOTICE IN TERMS OF THE REGULATIONS REGARDING LICENSING PROCEDURES FOR TELECOMMUNICATIONS AND BROADCASTING SERVICE LICENCES AND SPECTRUM USE LICENCES

The Communications Regulatory Authority of Namibia, in terms of section 101 of the Communications Act, 2009 (Act No. 8 of 2009) read with regulations 6 and of regulation 11 of the “Regulations Regarding Licensing Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences”, in Government Gazette No. 4785, Notice No. 272, dated 29 August 2011, herewith gives notice that the person referred to in the table below has submitted the following applications to the Authority:

Spectrum Use Licence Applications

Applicant's Name;	Applicant's citizenship or place of incorporation	Percentage of Stock owned by Namibian Citizens or Namibian Companies controlled by Namibian Citizens;	List of radio frequencies or group of radio frequencies applied for;	List of radio frequencies or group of radio frequencies being considered for assignment by the Authority	Description of geographic coverage area(s);	License Fees Outstanding;	Service to be provided using frequency applied for;
De Beers Marine Namibia	Namibia	100%	3804 MHz (TX)/ 3924 MHz (RX) (8 MHz Bandwidth) 3812 MHz (TX)/ 3932 MHz (RX) (8 MHz Bandwidth) 3820 MHz (TX)/ 3940 MHz (RX) (8 MHz Bandwidth) 3828 MHz (TX)/ 3948 MHz (RX) (8 MHz Bandwidth) 3836 MHz (TX)/ 3956 MHz (RX) (8 MHz Bandwidth) 3844 MHz (TX)/ 3964 MHz (RX) (8 MHz Bandwidth) 3852 MHz (TX)/ 3972 MHz (RX) (8 MHz Bandwidth) 3860 MHz (TX)/ 3980 MHz (RX) (8 MHz Bandwidth)	3804 MHz (TX)/ 3924 MHz (RX) (8 MHz Bandwidth) 3812 MHz (TX)/ 3932 MHz (RX) (8 MHz Bandwidth) 3820 MHz (TX)/ 3940 MHz (RX) (8 MHz Bandwidth) 3828 MHz (TX)/ 3948 MHz (RX) (8 MHz Bandwidth) 3836 MHz (TX)/ 3956 MHz (RX) (8 MHz Bandwidth) 3844 MHz (TX)/ 3964 MHz (RX) (8 MHz Bandwidth) 3852 MHz (TX)/ 3972 MHz (RX) (8 MHz Bandwidth) 3860 MHz (TX)/ 3980 MHz (RX) (8 MHz Bandwidth)	Transmission between Shore and Vessels; to be used within the borders of the mining area of Oranjemund	NO	FIXED SERVICES (PTP) F.635

The public may submit comments in writing to the Authority within a period of fourteen (14) days from the date of publication of this notice in the *Gazette*.

The applicant may submit written reply comments within fourteen (14) days from the due date of the written public comments.

All written submissions must contain the name and contact details of the person making the written submissions and the name and contact details of the person for whom the written submission is made, if different and be clear and concise.

All written submissions and reply comments must be made either physically or electronically –

- (1) By hand to the head offices of the Authority, namely Communication House, 56 Robert Mugabe Avenue, Windhoek;
- (2) By post to the head offices of the Authority, namely Private Bag 13309, Windhoek 9000;
- (3) By electronic mail to the following address: legal@cran.na;
- (4) By facsimile to the following facsimile number: +264 61 222790; or
- (5) By fax to e-mail to: 088642748.

L.N. JACOBS
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 17

2016

**NOTICE TO WITHDRAW SPECTRUM USE LICENCE IN TERMS OF REGULATIONS
10 AND 11 OF THE REGULATIONS REGARDING LICENSING PROCEDURES FOR
TELECOMMUNICATIONS AND BROADCASTING SERVICE LICENCES AND SPECTRUM
USE LICENCES, COMMUNICATIONS ACT (ACT NO. 8 OF 2009)**

The Communications Regulatory Authority of Namibia, in terms of regulations 10(2) and 11(1) of the “Regulations Regarding Licensing Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences”, published in Government Gazette No. 4785, Notice No. 272, dated 29 August 2011 (as amended), herewith gives notice that the Applicant referred to in the table below, intends to permanently discontinue the utilisation of the frequencies as indicated in the table herein below and has submitted applications for withdrawal of the licences as indicated in the column herein below to the Authority:

Licensee	Licensee's Citizenship or place of incorporation;	Percentage of Stock owned by Namibian Citizens or Namibian citizens or Namibian Companies controlled by Namibian Citizens;	Type of service licence;	Description of geographic coverage area(s);	District	City/Town	Radio Frequencies or group of frequencies withdrawn;	Concise Statement of the reasons for proposed withdrawal;	Proof of Licence Fees Paid Up to Date;	Date on which licensee intends to permanently discontinue providing service;
Namibian Broadcasting Corporation	Established in terms of section 2 of the Namibian Broadcasting Act (Act No. 9 of 1991)	State Owned Enterprise	Spectrum Use Licence as issued on 13 September 2012, published in Government Gazette 5037, Notice 306. Please note that only the frequencies listed in this notice are being withdrawn	Khomas	Windhoek	Gross Hertzog	194 MHz	The frequencies were utilised for the provision of analogue television services. Due to the migration to digital terrestrial television the NBC no longer requires the use of these frequencies	Yes	19 February 2016, being 60 days from 19 December 2015 (Date on which the applications was submitted as contemplated in regulation 10(3)(e))
				Khomas	Windhoek	Windhoek Hohe	226 MHz		Yes	19 February 2016, being 60 days from 19 December 2014 (Date on which the applications was submitted as contemplated in regulation 10(3)(e))
				Omaheke	Gobabis	Gobabis NBC Tower	178 MHz		Yes	8 February 2016, being 60 days from 8 December 2015 (Date on which the applications was submitted as contemplated in regulation 10(3)(e))
				Otjozondjupa	Grootfontein	Signalberg NBC Tower	218 MHz		Yes	28 February 2016 as stated in application for withdrawal
				Otjozondjupa	Tsumkwe	Tsumkwe NBC Tower	186 MHz		Yes	28 February 2016 as stated in application for withdrawal
				Ohangwena	Eenhana	Okongo NBC tower	234 MHz		Yes	3 April 2016 as stated in application for withdrawal
				Okavango	Rundu	Nkurunkuru NBC Tower	730 MHz		Yes	3 April 2016 as stated in application for withdrawal
				Okavango	Rundu	Shamvura NBC Tower	786 MHz		Yes	3 April 2016 as stated in application for withdrawal
				Karas	Karasburg	Ur NBC Tower	194 MHz		Yes	28 August 2016 as stated in application for withdrawal
				Hardap	Maltahohe	Maltahohe NBC Tower	186 MHz		Yes	1 May 2016 as stated in application for withdrawal

The public may make oral submissions on the proposed regulations to the Authority, at a time, date and place notified by the Authority.

The public may also make written submissions to the Authority within thirty (30) days from the date of publication of this notice in the *Gazette*, in the manner set out below for making of written submissions

All written submissions must -

- a) contain the name and contact details of the person making the written submissions and the name and contact details of the person for whom the written submission is made if different; and
- b) be clear and concise.

All written submissions must be send or submitted in any of the following manners-

- a) by hand to the head office of the Authority, namely Communications House, 56 Robert Mugabe Avenue, Windhoek;
- b) by post to the head office of the Authority, namely Private Bag 13309, Windhoek, 9000;
- c) by electronic mail to the following address: legal@cran.na;
- d) by facsimile to the following facsimile number: +264 61 222790; and
- e) by fax-to-email to: 0886550852.

L.N. JACOBS
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 18

2016

**NOTICE OF AMENDMENT OF APPLICATION FORM: TELECOMMUNICATIONS
SERVICE LICENCE OF THE REGULATIONS PRESCRIBING FORMS FOR APPLICATIONS,
COMMUNICATIONS ACT (ACT NO. 8 OF 2009)**

The Communications Regulatory Authority of Namibia, in terms of section 129 of the Communications Act (No.8 of 2009) and the "Regulations Regarding Rule Making Procedures" as published in Government *Gazette* No. 4630, General Notice No. 334 dated 17 December 2010, hereby publishes the amendment of "Regulations Prescribing Forms for applications" in respect of Form CRAN 1 (Application Form: Telecommunications Service Licence) as published in Government Gazette No. 5269 General Notice No. 328, effective from the date of publication in the *Gazette*.

L.N. JACOBS
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

FORM CRAN 1**Application Form: Telecommunications Service Licence**

In terms of Regulation 4 of the “Regulations Regarding Licensing Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences published in Government Gazette No. 4785, General Notice No. 272 of 29 August 2011, a person intending to provide a class telecommunications service is required to complete this application for a class telecommunications service licence.

After completing the form in full, sign it and submit it to the Authority as required by Regulation 4, along with the relevant application fee or proof that the application fee has been paid to the Authority.

A. APPLICANT

Applicant (full and official names)	
ID or Registration Number of Applicant	

B. CONTACT PERSON

Contact Person (full and official names)	
Physical Address	
Postal Address	
Telephone number(s)	
Facsimile number (s)	
Electronic mail address(es)	

C. OWNERSHIP INTERESTS

Owner Name	Percentage of Ownership	Nationality of Owner

D. FOREIGN OWNERSHIP INTERESTS

Provide full details regarding foreign ownership interest in the licence, in any.

E. CATEGORY OF CLASS TELECOMMUNICATIONS SERVICE LICENCE

Identify the type of telecommunications service licence for which you are applying-

Class ECS	
Class ECNS	
Class Comprehensive telecommunications service licence (ECS & ECNS)	
Non-Profit ECS/ECNS	

F. SERVICES TO BE PROVIDED

Set out a complete, accurate and concise statement of the telecommunications services you intend to provide, including a description and diagram of any envisaged network to be operated, constructed or used.

G. ANY OTHER INFORMATION

Provide any other information you believe might be relevant to the Authority in considering this application.

PLEASE NOTE:

- A certified copy of the Identity document of the Applicant and members of the Board of Directors should accompany this Application Form
- If an authorized agent completes the Application on behalf of the Applicant, such agent should submit, with the Application Form, a power of attorney, which authorizes him or her to lodge the application on behalf of the applicant.
- The Authority may request further information or documentation, which must be provided to the Authority in the time and the manner set out by the Authority.

Signed by _____ at _____
 in his/her capacity as _____, duly authorised and
 warranting such authority and warranting that the information provided herein is true and correct, on
 the _____ day of _____ 20_____.

Signature

ACKNOWLEDGEMENT OR RECEIPT BY CRAN

Name	
Date	
Place	
Signature	

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 19

2016

NOTICE OF INTENTION TO AMEND THE REGULATIONS REGARDING LICENSING PROCEDURES FOR TELECOMMUNICATIONS AND BROADCASTING SERVICE LICENCES AND SPECTRUM USE LICENCES, COMMUNICATIONS ACT, 2009 (ACT NO. 8 OF 2009)

The Communications Regulatory Authority of Namibia, in terms of section 40 read with section 129 of the Communications Act (No.8 of 2009) and Regulation 4(3) of the Regulations regarding Rule-Making Procedures as published in Government Gazette No. 4630, General Notice No. 334 dated 17 December 2010 -

- a) publishes the notice of intention to amend the Regulations regarding Licensing Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences as set out in Schedule 1; and
- b) sets out the concise statement of the reasons and purpose for the proposed amendment of the regulations in Schedule 2.

The public may make oral submissions on the proposed regulations to the Authority, at a time, date and place notified by the Authority.

The public may also make written submissions to the Authority within thirty (30) days from the date of publication of this notice in the Gazette, in the manner set out below for making of written submissions

All written submissions must -

- a) contain the name and contact details of the person making the written submissions and the name and contact details of the person for whom the written submission is made if different; and
- b) be clear and concise.

All written submissions must be send or submitted in any of the following manners-

- a) by hand to the head office of the Authority, namely Communications House, 56 Robert Mugabe Avenue, Windhoek;

- b) by post to the head office of the Authority, namely Private Bag 13309, Windhoek, 9000;
- c) by electronic mail to the following address: legal@cran.na;
- d) by facsimile to the following facsimile number: +264 61 222790; and
- e) by fax-to-email to: 0886550852.

**L.N. JACOBS
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA**

SCHEDULE 1

**AMENDMENT OF THE REGULATIONS REGARDING LICENSING PROCEDURES FOR
TELECOMMUNICATIONS AND BROADCASTING SERVICE LICENCES AND SPECTRUM
USE LICENCES, COMMUNICATIONS ACT 8 OF 2009**

The Communications Regulatory Authority of Namibia, in terms of section 40 read with section 129 of the Communications Act (Act No.8 of 2009), amends the Regulations regarding License Procedures for Telecommunications and Broadcasting Services Licences and Spectrum Use Licences published in the Government Gazette No. 4785, General Notice No. 272 dated 29 August 2011 (as published in Government Gazette No. 5269, General Notice No. 330 dated 19 August 2013.)

Insertion of a new regulation after existing regulation 4 of the Regulations

2. The new regulation 4 to read as follows-
- (1) A person intending to provide a class network facilities services must submit, in writing to the Authority, an application for a class network facilities service licence in the form made available by the Authority as contained in Annexure A to these regulations.
 - (2) The application must-
 - (a) set out the full and official name of the person intending to provide a class network facilities service (applicant), and if a juristic person, the registration number of that person;
 - (b) Set out the name of the contact person (if different from the applicant) and the following contact details-
 - (i) physical address;
 - (ii) postal address;
 - (iii) telephone number(s);
 - (iv) facsimile number (s); and
 - (v) electronic mail address(es);
 - (c) set out full details of all ownership interests in the applicant, including the identity and nationality of ownership interests and if the holders of ownership interests are juristic persons, full details of the board of directors or other governing body and of all their ownership interests;

- (d) set out the full details of foreign ownership interests in the applicant;
 - (e) set out a complete, accurate and concise statement of the network facilities to be provided, including a description and diagram of any network to be constructed, operated or used;
 - (f) indicate the physical address(es) where network facilities are located or would be located in case of new network facilities still to be implemented including geographical locations up to seconds;
 - (g) indicate the description, make and model of relevant equipment and attach the specifications and type approval certificates
 - (h) attach to the application a five (5) year business plan inclusive of market analysis, growth forecasts, funding and financial resource and expertise but not limited thereto;
 - (i) indicate full details of any ownership interest held in existing telecommunications or broadcasting service licences by the applicant and if the applicant is a juristic person, by the persons who hold ownership interests in the applicant; and
 - (j) include any other information the applicant believes might be relevant to the Authority in considering the applications.
- (3) The class network facilities service licence application must be accompanied by a spectrum use licence application if the applicant intends to use spectrum in the provision of network facilities.
- (4) The Authority may request further information or documentation, which must be provided to the Authority in the time and manner set out by the Authority.

ANNEXURE A**Form CRAN 15****Application Form: Network Facilities Service Licence**

In terms of Regulation 4 of the “Regulations Regarding Licensing Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences published in Government Gazette No. 4785, General Notice No. 272 of 29 August 2011 - a person intending to provide network facilities is required to complete this application for a broadcasting service licence.

After completing the form in full, sign it and submit it to the Authority as required by Regulation 4, along with the relevant application fee or proof that the application fee has been paid to the Authority.

A. APPLICANT

Applicant (full and official names)	
ID or Registration Number of Applicant	

B. CONTACT PERSON

Contact Person(full and official names)	
Physical Address	
Postal Address	
Telephone number(s)	
Facsimile number (s)	
Electronic mail address(es)	

C. OWNERSHIP INTERESTS

Owner Name	Percentage of Ownership	Nationality of Owner

D. FOREIGN OWNERSHIP INTERESTS

Provide full details regarding foreign ownership interest in the licence, in any.

- The Authority may request further information or documentation, which must be provided to the Authority in the time and the manner set out by the Authority.

Signed by _____ at _____ in his/
her capacity as _____, duly authorised and warranting
such authority and warranting that the information provided herein is true and correct, on the
_____ day of _____ 20_____.

Signature

ACKNOWLEDGEMENT OR RECEIPT BY CRAN

Name	
Date	
Place	
Signature	

SCHEDULE 2

**CONCISE STATEMENT AND PURPOSE OF THE PROPOSED AMENDMENT
OF REGULATIONS REGARDING LICENSING PROCEDURES FOR
TELECOMMUNICATIONS AND BROADCASTING SERVICE LICENCES AND
SPECTRUM USE LICENCES, COMMUNICATIONS ACT, 2009.**

The purpose of the amendment of the proposed Regulations is to align it with developments in the telecommunications industry, requirements of the Act and policies and to set out the application requirements for the new network facilities service licence category as was published in Government *Gazette* No. 5805, Notice No. 387 dated 12 August 2015 by-

- (a) Insertion of a new regulations after existing regulations 4 setting out all documentation and information to be submitted to the Authority together with the application form provided by the Authority for consideration thereof when applying for a class Network Facilities.
- _____