

Namibia

Communications Act, 2009

Regulations under section 27(1) of the Namibian Communications Commission Act, 1992

Government Notice 108 of 2007

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1. Definitions

In these regulations, unless the context otherwise indicates, a word or phrase to which a meaning has been assigned to in the Namibian Communications Commission Act, 1992 (Act [No. 4 of 1992](#)), and the Posts and Telecommunications Act, 1992 (Act [No. 19 of 1992](#)), has that meaning and -

“**commercial VSAT telecommunications licence**” means a telecommunication service licence authorising the provision of VSAT telecommunications services in question to other persons other than the licence holder;

“**private VSAT telecommunications licence**” means a telecommunications service licence authorising the licence holder to use the VSAT telecommunications services in question only for the purposes of the licence holder in question;

“**VSAT**” means a very small aperture terminal;

“**VSAT telecommunications licence**” means a telecommunications service licence authorising the transmission of data, voice or image: Provided that the Namibian Communications Commission will have the sole discretion in determining the type of transmission any category of licence is allowed to transmit.

2. Application for a VSAT telecommunications licence

- (1) Any person may apply for a VSAT telecommunications licence on a form provided by the Commission.
- (2) An application referred to in subregulation (1) must -
 - (a) contain all the information requested on the form referred to in subregulation (1);

- (b) contain all relevant information to enable the Commission to assess the nature of the services that the applicant intends to render;
 - (c) contain detailed information relating to any equipment transmitting or receiving radio waves that will be used by the applicant or its clients in connection with these services;
 - (d) be accompanied by the applicable application fee referred to in regulation 3.
- (3) The Commission may request any further information relevant to the application.

3. Application fees

The application fees for the telecommunications licences are-

- (a) N\$ 10 000.00 for a commercial telecommunications licences;
- (b) N\$ 1 000.00 for private telecommunications licence.

4. Licence fees

- (1) The following licence fees are payable annually in respect of telecommunication licences-
- (a) for commercial VSAT telecommunications licence, 2% of the turnover (as defined in section 1 of the Income Tax Act, 1981 (Act [No. 24 of 1981](#)), of the licence holder;
 - (b) for private VSAT telecommunications licence issued to a person other than a person referred to in paragraph (c), N\$20 000.00;
 - (c) for a private VSAT telecommunications licence issued to a voluntary association, educational, health or religious institutions or a company referred to in section 21 of the Companies Act, 1973 (Act [No. 61 of 1973](#)), N\$2 500.00.
- (2) Notwithstanding the provisions contained in these regulations, the Namibian Communications Commission has the right to refuse the issuing of a VSAT telecommunications licence to any person applying without having to give reasons for doing so.