



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

N\$4.00

WINDHOEK - 14 March 2012

No. 4899

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General Notices

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 56 2012

NOTICE IN TERMS OF SECTION 53(5) OF THE COMMUNICATIONS ACT, 2009 (ACT NO. 8 OF 2009)

The Communications Regulatory Authority of Namibia in terms of section 53(5) of the Communications Act, 2009 (Act No. 8 of 2009), herewith gives notice that every contract concluded for the provision of services that are not subject to a tariff must be filed with the Authority, which has the power to deal with such contract as if it were an interconnection agreement.

The Authority herewith gives notice to all telecommunications licensees, with an individual or prescribed class license, to file the abovementioned contracts. The contracts must:

- Contain all pertinent information concerning rates and charges for services, including all deposits, non-recurring charges and monthly charges;

- Contain terms and conditions applicable to the provision of services by the corresponding licensee including rights and remedies available to customers in the event of unauthorised charges or other disputes or claims over billing.

All contracts submitted must include a cover letter containing the name and contact details of the person submitting the contract and the name and contact details of the person for whom the contract is submitted, if different. The said contracts should be submitted within 30 days from date of publication of this notice.

All submissions must be made either physically or electronically -

- (1) By hand to the head offices of the Authority, namely Communications 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: cran@cran.na;
- (4) By facsimile to the following facsimile number: +264 61 222790; or
- (5) By fax to e-mail to: 088642748.

S. SHANAPINDA
CHIEF EXECUTIVE OFFICER

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 57

2012

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

The Communications Regulatory Authority of Namibia, in terms of Regulation 9(10) and 16 of the “Regulations Regarding Transitional Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences”, in Government Gazette No. 4737, Notice No. 171, dated 17 June 2011 herewith gives notice of the following persons whose existing licence has been converted and are issued with a Telecommunications Service Licence in terms of the “Regulations Setting Out Broadcasting and Telecommunications Service Licence Categories” in Government Gazette No. 4714, Notice No. 124, dated 18 May 2011 and those whose licences have not been converted.

The licenses are issued subject to the conditions for Telecommunications Service Licences to be published in terms of the rule-making procedure regulations.

REASONS FOR DECISION:

The Authority issues this decision based on the following reason:

The persons whose licences have been converted complied with the Regulations Regarding Transitional Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences as published in Government Gazette 4737, No 171, dated 17 June 2011.

The following is the list of persons whose licences have been converted, with effect from the date of publication of this notice in the *Government Gazette*.

| No | Licensee | Licence Fees Outstanding? | Percentage of Stock owned by Namibian Citizens or Namibian Companies Controlled by Namibian Citizens | Licensee's Citizenship or Place of Incorporation | New Type of Telecommunications Licence(s) Issued | Date of Expiry of Licence(s) |
|----|---|---------------------------|--|--|---|--|
| 1. | Africa Online (Pty) Ltd | No | 25% | Namibia | Class Comprehensive Telecommunications Service Licence (ECS and ECNS) | Subject to the conditions for telecommunications service licenses to be published in terms of the rule-making procedure regulations. |
| 2. | Mobile Telecommunications Limited (MTC) | No | 66% | Namibia | Class Comprehensive Telecommunications Service Licence (ECS and ECNS) | Subject to the conditions for telecommunications service licenses to be published in terms of the rule-making procedure regulations. |
| 3. | Wireless Technologies Namibia (Pty) Ltd | No | 100% | Namibia | Class Comprehensive Telecommunications Service Licence (ECS and ECNS) | Subject to the conditions for telecommunications service licenses to be published in terms of the rule-making procedure regulations. |

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

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 58

2012

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 regulation 11 of the "Regulations Regarding Licensing Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences" as published in Government Gazette No. 4785, Notice No. 272. dated 29 August 2011, herewith gives notice that the following person(s) applied for the following:

Transfer of Licences and Transfer of Control of Licence: Telecommunications Service Licences:

| No. | Licence(s) to be transferred | Transferor | Transferee |
|-----|--|-------------------------|---------------------|
| 1. | Very Small Aperture Terminal (VSAT) | Africa Online (Pty) Ltd | MWireless (Pty) Ltd |
| 2. | Telecommunications Licence for Broadband Wireless Internet Network (WiMax) | Africa Online (Pty) Ltd | MWireless (Pty) Ltd |
| 3. | International Data Gateway Licence | Africa Online (Pty) Ltd | MWireless (Pty) Ltd |

Transfer of Licences and Transfer of Control of Licence: Spectrum Use Licences:

| | | | |
|----|----------------------|-------------------------|---------------------|
| 1. | Spectrum Use Licence | Africa Online (Pty) Ltd | MWireless (Pty) Ltd |
|----|----------------------|-------------------------|---------------------|

The above telecommunications service licences may be converted to ECS and/or ECNS licences prior to the completion of this transfer. In the event the above telecommunications licences are converted to ECS and/or ECNS licences prior to the approval of this transfer, the newly converted ECS and/or ECNS licence shall be the licence deemed to be transferred in terms of this application.

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 Government 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 must 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; enamwoonde@cran.na;
- (4) by facsimile to the following facsimile number: +264 61 23 8646 / +264 61 222790;
- (5) by fax to e-mail to the following number: 088642748; or
- (6) in any other manner or at alternative addresses set, out by the Authority from time to time.

S. SHANAPINDA
CHIEF EXECUTIVE OFFICER
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA
