



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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General Notices

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 257

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 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 spectrums as indicated in the table below and has submitted an application for withdrawal of the licence as indicated in the column herein below to the Authority:

Applicant's Name	Applicant's citizenship or place of incorporation	Percentage of Stock owned by Namibian Citizens or Namibian Companies controlled by Namibian Citizens	Type of service license	List of radio frequencies or groups of radio frequencies being withdrawn by the Authority	Description of geographic coverage area(s)			License Fees Outstanding	Concise Statement of the reasons for proposed withdrawal	Services provided with the withdrawn frequencies	Party providing Signal Distribution	Date on which Licensee permanently discontinue providing services;		
				Region	District	City/Town								
99 FM (PTY) LTD	Namibian	100%	Spectrum Use Licence as issued on 13 September 2012, published in Government Gazette 5037, Notice 306.	97.4 MHz	Caprivi	Katima Mulilo	Telecom Tower	No	Applicant's capital investment versus listership and strategic focus do not align. Applicant arrived at this conclusion after a thorough investigation of costs and the equipment required to utilise the frequencies listed on this notice.	Commercial Broadcasting Services	Own	Within 60 days from 23 June 2016 as per regulation 10(3) (e) of the Regulations		
				107.0 MHz	Hardap	Rehoboth	Swartkoppie							
				99.4 MHz	Omaheke	Gobabis	Telecom Tower							

Please note that the rest of the frequencies published in Government Gazette 5037, Notice No. 306, dated 13 September 2012, remain valid.

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 date of notification 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 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: 0886550852.

F. KISHI
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 258

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 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 spectrums as indicated in the table below and has submitted an application for withdrawal of the licence as indicated in the column herein below to the Authority:

Applicant's Name	Applicant's citizenship or place of incorporation	Percentage of Stock owned by Namibian Citizens or Namibian Companies controlled by Namibian Citizens	Type of Service licence	List of radio frequencies or groups of radio frequencies being considered for withdrawal by the Authority	Description of geographic coverage area(s)	License Fees Outstanding	Concise Statement of the reasons for proposed withdrawal	Service provided with the withdrawn frequencies	Date on which Licensee intends to permanently discontinue providing services;
Paratus Telecommunications (Pty) Ltd	Namibian	100%	Spectrum Use Licence as issued on 29 May 2015 published in Government Gazette 5745, Notice 191	Uplink 1940-1960 MHz Downlink 2130-2150 MHz Bandwidth 20 MHz	National	No	Applicant no longer intends to make use of the allocated frequencies	MOBILE	Within 60 days from 22 June 2016 as per regulation 10(3)(e) of the Regulations.

Please note that the rest of the frequencies published in Government Gazette 5745, Notice No. 191, dated 29 May 2015, remain valid.

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 date of notification 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 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: 0886550852.

F. KISHI
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 259

2016

NOTICE IN TERMS OF THE REGULATIONS PRESCRIBING THE NATIONAL NUMBERING PLAN FOR USE IN THE PROVISION OF TELECOMMUNICATIONS SERVICES IN THE REPUBLIC OF NAMIBIA, NUMBERING LICENCE FEES AND PROCEDURES FOR NUMBER LICENCES: COMMUNICATIONS ACT, 2009

The Communications Regulatory Authority of Namibia in terms of Regulation 22(1) of the Regulations regarding the National Numbering Plan for Namibia for use in the provision of Telecommunications Services in the Republic of Namibia, Numbering Licence Fees and Procedures for Number Licences as published in Government Gazette No. 5983, General Notice No. 97 dated 1 April 2016, herewith gives notice that the persons referred to in the table below, submitted an application for Number Licence to the Authority:

(a) Numbering Licence Application

Applicant's Name	Applicant's Citizenship or place of incorporation;	Percentage of Stock owned by Namibian Citizens or Namibian citizens or Namibian Companies controlled by Namibian Citizens	Number Category	Number of Blocks considered to be awarded by the Authority	Description of geographic coverage area (s)	Service to be provided using numbers applied for
Demshi Investment Holdings (Pty) Ltd	Namibia	100%	Electronic Communications (82)	1 block (100,000 numbers)	National	Telecommunications Services

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.

F. KISHI
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 260

2016

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

The Communications Regulatory Authority of Namibia, in terms of Section 53(11) of the Communications Act (Act 8 of 2009) herewith gives notice that **Mobile Telecommunications Limited** has withdrawn its Mobiz Duet 600 and Mobiz Duet 900 as contained in Schedule 1 to this notice from the tariff submission as published in the Government Gazette No. 5998 General Notice No. 118 dated 29 April 2016.

F. KISHI
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 BUSINESS PRODUCT - MOBIZ

Voice Package Detail:

Service Plan	MOBIZ 100	MOBIZ 200	MOBIZ 300	MOBIZ 600	MOBIZ 900	MOBIZ 1500	MOBIZ DUET 600	MOBIZ DUET 900
Connection Fee	N\$ 218	N\$ 218	N\$ 218					
Subscription Fee	N\$ 79	N\$ 159	N\$ 249	N\$ 399	N\$ 749	N\$ 1299	N\$ 799	N\$ 999
Contract Period	24	24	24	24	24	24	24	24
Technology	4G	4G	4G	4G	4G	4G	4G	4G
Free Device	0	1	1	1	1	1	2	2
Free Minutes	100	200	300	600	900	1500	600	900
Free SMS	100	200	300	600	900	1500	600	900
Free Data	100MB	200MB	300MB	600MB	2400MB	3500MB	1200MB	2400MB

Data Package Detail:

Service Plan	MOBIZ 2GB	MOBIZ 6GB	MOBIZ 20GB	MOBIZ UNLIMITED
Connection Fee	N\$ 218	N\$ 218	N\$ 218	N\$ 218
Subscription Fee	N\$ 179	N\$ 349	N\$ 549	N\$ 999
TurboBoost Fee (TB)	N\$ 59	N\$ 115	N\$ 179	N\$ 329
Contract Period	24	24	24	24
Technology	4G	4G	4G	4G
Free Device	3G USB	4G USB	4G Router	4G Router
Free Data	2GB	6GB	20GB	90GB
TurboBoost Data	2GB	6GB	20GB	90GB

TARIFFS per minute after completion of free units

Event type	TARIFF TIME	N\$
Voice MTC -> All National Destinations (Same to Video Calls or data CS)	Peak	1.00
	Off Peak	1.00
	Off-off Peak	1.00
Intra-group	All	0.29
SMS	National	0.40
	Angola	0.40
	Neighboring ***	0.60
	International	0.99
Data per MB	Voice packages only	0.90
MMS per event	Any	0.60
***Neighboring includes: South Africa, Botswana, Zambia, Zimbabwe, Lesotho, Malawi, Mozambique and Swaziland		

First 3 seconds free (means calls with 3s or less are not charged), after that 1st min in full, then every 6 seconds.

Intra-Group tariffs only apply to calls between numbers on the same Business Account.

Free Units only valid for 1 x bill cycle. TurboBoost unused free units will carry forward limited to 60 days.

Normal Data Bundles will not be applicable to MOBIZ Data TurboBoost packages, only to MOBIZ Voice packages

International Call tariffs for the Voice Packages are the same as current OfficeBox Smartphone Tariffs while the Data Packages are the same as current OfficeBox Voice Tariffs, see below:

MOBIZ	Voice International Call tariffs			Data International Call tariffs		
	OB Peak	Off Peak	Off Off Peak	OB Peak	Off Peak	Off Off Peak
Angola	2.50	2.50	2.50	4.00	4.00	4.00
South Africa Mobile	2.50	2.50	2.50	3.00	3.00	3.00
SouthAfrica Fixed	2.50	2.50	2.50	3.00	3.00	3.00
Neighbouring	4.50	4.50	4.50	4.50	4.50	4.50
Germany	2.50	2.50	2.50	5.00	5.00	5.00
Netherlands	3.00	3.00	3.00	6.00	6.00	6.00
UK	2.50	2.50	2.50	5.00	5.00	5.00
Sweden	3.00	3.00	3.00	6.00	6.00	6.00
Switzerland	3.00	3.00	3.00	6.00	6.00	6.00
Spain	3.00	3.00	3.00	6.00	6.00	6.00
Australia	3.00	3.00	3.00	6.00	6.00	6.00
France	3.00	3.00	3.00	6.00	6.00	6.00
Kenya	8.00	8.00	8.00	8.00	8.00	8.00
Portugal	3.00	3.00	3.00	6.00	6.00	6.00
USA	8.00	8.00	8.00	0.80	0.80	0.80
Inmarsat A	25.95	25.95	25.95	25.95	25.95	25.95
Inmarsat C	22.95	22.95	22.95	22.95	22.95	22.95
Inmarsat B, M	25.95	25.95	25.95	25.95	25.95	25.95
Thuraya	25.95	25.95	25.95	25.95	25.95	25.95
Rest of World	8.00	8.00	8.00	8.00	8.00	8.00

Please note that the rest of the tariff submission will be considered by the Authority.
Please note that the terms and conditions remain the same.

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 261

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 SmartShare Data Products as submitted by **Mobile Telecommunications Limited**, which came into force and effect on **24 June 2016**, 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 No. 8 of 2009 (hereinafter referred to as “the Act”), Mobile Telecommunications Limited (hereafter referred to as “MTC”) filed for the approval of tariffs for the SmartShare products on 18 March 2016.

2. PROCEDURAL COMPLIANCE

The proposed tariffs were published as General Notice No. 117 in the Government Gazette No. 5998 dated 29 April 2016 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 17 May 2016.

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 MTC.

3. FINANCIAL AND ECONOMIC ANALYSIS OF THE SMARTSHARE PRODUCTS SUBMITTED BY MOBILE TELECOMMUNICATIONS LIMITED

The SmartShare tariffs were initially approved by the Authority and published as General Notice No. 223, published in the Government Gazette No. 5231 dated 24 June 2013.

MTC revised and reduced its SmartShare offers to only two (2) offers. These two (2) products are the same as the original SmartShare Internet Home Packages but have a new functionality called Turboboost. The Turboboost functionalities are as follows:

- a) A basic monthly subscription including free data (Fair Use Policy), which will have first priority with every bill cycle, and unused free units do not carry over to the next bill cycle.
- b) Once the included free data is utilised before the bill cycle period, the speed will be reduced to a maximum of 521kbps on 4G or 384kbps on 3G depending on the network.
- c) The data used during reduced speed sessions will still be free and unlimited (for the remainder of the bill cycle) and the free data will re-establish automatically at the beginning of the new bill cycle.
- d) Should the customer wish to boost the speed back to the original speed before the new bill cycle begins, then the customer can buy add-on TurboBoost data bundle equal to the original free data at a reduced price (the customer can buy as many TurboBoost add-on bundles as they wish)
- e) The TurboBoost will have a validity of sixty (60) days, therefore, if the customer does not deplete the bundles during the current bill cycle period, it could be used in the next bill circle period if the included free data bundles is reached again.

The tariff information is as follows:

Table 1: Proposed Tariffs

Service Plan	Smartshare 4	Smartshare 4 Turboboost	Smartshare 20	Smartshare 20 Turboboost
Connection Fee	N\$ 218	N\$ 218	N\$ 218	N\$ 218
Subscription fee	N\$ 399	N\$ 399	N\$ 799	N\$ 799
Turboboost Fee		N\$ 132		N\$ 264
Contract Period	24	24	24	24
Technology	3G	3G	4G	4G
Free device	3G Router	3G Router	4G Router	4G Router
Free data	50GB	50GB		50GB
Turboboost Data		50GB		50GB
Internet Speed	Up to 4Mbps	Up to 4Mbps	Up to 20Mbps	Up to 20Mbps

Due to the fact that the package is exactly the same as the previously submitted Smartshare packages for Smartshare 4 and Smartshare 20, no comparisons were made. The only comparisons were made on the TurboBoost data that was added. The only comparison made is depicted in table 2 below:

Table 2: Post-paid Price Comparison

Price Comparison			Cost	MB	N\$/MB
MTC	Postpaid	Netman 2 GB	179	2,000	0.09
		Turboboost 4	132	50,000	0.003
		Turboboost 20	264	50,000	0.005
			999	90,000	0.01
	Prepaid	Bundles	129	800	0.16
			999	15,000	0.06
TN Mobile	Postpaid	LTE Unlimited	998	90,000	0.01
	Prepaid	Data 500 MB	175	500	0.35
		Data unlimited	945	90,000	0.01

As can be seen from the table above, the Smartshare Turboboost packages have the additional benefit of increasing the speed of the home device at a very low fee.

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

1. They do not prevent, restrict or distort competition in the market for the supply of telecommunications since the tariff is not deemed below cost;
2. There is no abuse of individual or collective dominant position by MTC for the supply of telecommunications in respect hereof, since MTC is not engaged in the conduct that is intended to eliminate or discipline a competitor or to deter future entry by new competitors, with the result that competition is prevented or lessened substantially since this product is aimed at customers.
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 MTC 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 MTC, including rights and remedies available to customers in the event of unauthorised 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 26 May 2016 (which date is not less than 60 days from the date of the filling of the tariff) as required by section 53(8) of the Act. On 4 April 2016 the Authority send a letter to MTC requesting additional information to which MTC responded on 27 April 2016.

The Authority postponed the date of commencement of the tariff with thirty (30) days in terms of section 53(13) of the Act to examine the reasonableness of the tariff to 25 June 2016.

4. DECISION

The Authority herewith approves:

The SmartShare TurboBoost tariffs as submitted by Mobile Telecommunications Limited for implementation, effective from 25 June 2016.

F. KISHI

CHAIRPERSON OF THE BOARD OF DIRECTORS

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 262

2016

NOTICE OF RECONSIDERATION IN TERMS OF SECTION 31 OF THE COMMUNICATIONS ACT, 2009 (ACT NO. 8 OF 2009)

The Communications Regulatory Authority of Namibia, in terms of section 31 of the Communications Act, 2009 (Act No. 8 of 2009), herewith gives notice that **Mobile Telecommunications Limited** (MTC) has submitted an application for reconsideration, dated 20 May 2016, in respect of a decision by the Authority to approve MTC's proposed new data tariffs with conditions, which decision was published in Government Gazette No.6032 General Notice No. 170, dated 10 June 2016.

The reasons and grounds for the application for reconsideration are contained in the application that can be inspected at the offices of the Authority.

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*.

MTC 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;
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F. KISHI
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 263

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 Fixed Line Pre-Paid products as submitted by **Telecom Namibia Limited**, which came into force and effect on **24 June 2016**, 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 No. 8 of 2009 (hereinafter referred to as “the Act”), Telecom Namibia Limited (hereafter referred to as “Telecom”) filed for the approval of Fixed Line Pre-Paid tariffs on 25 January 2016.

2. PROCEDURAL COMPLIANCE

The proposed tariffs were published as General Notice No. 116 in the Government Gazette No. 5998 dated 29 April 2016 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 17 May 2016.

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 Telecom.

3. FINANCIAL AND ECONOMIC ANALYSIS OF THE NEW FIXED LINE PRE-PAID SUBMITTED BY TELECOM NAMIBIA LIMITED

Telecom Namibia submitted the new tariffs for permanent approval in terms of section 53(1) and (7) of the Act.

The tariff information is as follows:

Table 1: Tariff Information

PACKAGE CONTENT	PROPOSED ONCE-OFF FEE
Once-off Activation fee consisting of: Line installation N\$ 255.00 Flexi Call Card N\$ 100.00 Line Rental (based on 12 months Rental) Flexicall Starter Pack	N\$ 1,399.00
Annual renewal Fees: Line Rental (12 Months)	N\$ 1,099.00

From the analysis done, this is an option that provides an opportunity for fixed line customers to use their fixed line as a pre-paid line by utilising a Flexicall Card. The structure of the package is just adding the cost of the fixed line for a period of one year into a package for a once-off payment that then allows the customer to utilise the line then as he/she wishes, as opposed to having the customer pay a monthly fee for the line rental.

The tariffs are not deemed anti-competitive and are not reasonably 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 Telecom Namibia 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 deal 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 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;
 - 2.2 The terms and conditions applicable to the provision of services by Telecom, including rights and remedies available to customers in the event of unauthorised 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 not indicated in the letter of Telecom Namibia submitted to the Authority on 25 January 2016. A letter was drafted to Telecom Namibia on 17 February 2016 advising that the submission does not comply with section 53(9) and that the Authority is unable to consider it for approval. A follow up letter requesting Telecom to provide the date for commencement of the

tariff was written on 7 March 2016. On 10 March 2016 the Authority indicated to Telecom that the sixty (60) days would only start running once the outstanding information is provided.

On 15 March 2016 the Authority requested Telecom Namibia to indicate exactly which information should be treated as confidential in terms of section 28 of the Communications Act for gazetting purposes and to provide the date of implementation (which date is not less than sixty (60) days from the date of the filing of the tariff) as required by section 53(8) of the Act.

On 23 May 2016 the Authority wrote to Telecom and informed them that the sixty (60) days started running on 18 March 2016, which date being the last date on which information was received, thus rendering the date of implementation as 24 May 2016. The Authority further postponed the date of commencement of the tariff with thirty (30) days in terms of section 53(13) of the Act, in order to examine the reasonableness of the tariff to 24 June 2016.

4. DECISION

The Authority herewith approves:

The tariffs for Fixed Line Pre-Paid products for Telecom Namibia as submitted for implementation, effective from 24 June 2016.

**F. KISHI
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA**

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 264

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 as submitted by **Paratus Telecommunications Limited**, which came into force and effect on **24 June 2016**, 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 No. 8 of 2009 (hereinafter referred to as “the Act”), Paratus Telecommunication Limited (hereinafter referred to as “Paratus Telecom” filed for the approval of the tariffs YUR SAT on 25 January 2016.

2. PROCEDURAL COMPLIANCE

The proposed tariffs were published as General Notice No. 115 in the Government Gazette No. 5998 dated 29 April 2016 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 17 May 2016.

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 Paratus Telecom.

3. FINANCIAL AND ECONOMIC ANALYSES OF THE NEW TARIFFS YUR SAT SUBMITTED BY PARATUS TELECOMMUNICATIONS LIMITED

The previous Yur Sat packages were approved by the board and published as General Notice No. 15, Government Gazette No. 5947 dated 15 February 2016.

The tariff information is as follows:

Name	VSAT monthly pricing options	CAP limit	Newly Submitted Prices		Previously approved Prices		% Increase
			Reseller	Retail	Reseller	Reseller	
Uncapped Bronze	256kbps up/1024kbps down	Uncapped	1 140	1 255	850	935	34.5%
Capped 20	512kbps up/2048kbps down	20 Gig	2 090	2 300	1 430	1 575	46%
Uncapped Silver	512kbps up/2048kbps down	Uncapped	2 220	2 440	1 710	1 880	29.8%
Capped 40	512kbps up/4096kbps down	40 Gig	4 130	4 540	3 030	3 340	36.3%
Capped 50	512kbps up/10240kbps down	50 Gig	6 230	6 850	4 350	4 785	43.2%
Uncapped Gold	512kbps up/10240kbps down	Uncapped	9 570	10 520	6 660	7 330	43.7%
	1 Gig Top Up		350	385	268	290	30%
Once off costing options			Retail				
Yealink cordless phone			1,386.00				
Wireless Access point			1,320.00				
Hardware Option 1 (1 – 10 Users)			10,056.79				
Hardware Option 2 (10+ Users)			18,911.75				
Travel (per Km cost)			4.50				
Installation fee			1,500.00				

Terms:

All pricing N\$ and Excl 15% VAT.

Pricing only includes wall mount kit and additional work will be charged separately.

Pricing based on a 12 months contract.

Paratus Telecom requested a review of the VSAT prices approved in December 2015 due to the devaluating of the Namibian Dollar (NAD) against the US\$. The NAD devaluated from 14.5 on 1 December 2015 to 16.45 on 26 January 2016 when the submission was made. This is an increase of 13.45% on average. However, from the cost information provided to the Authority by Paratus Telecom the prices increased by more than the increase in the exchange rate.

The cost analysis, provided by Paratus telecom, shows that the cost increased by more than 40% and this increase is passed through to the consumer.

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 since the tariff is not deemed below cost;
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 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(9) was submitted to the Authority in that Paratus 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;
 - 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 unauthorised 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 relevant documents such as accounting and cost information as required by section 53(18) of the Act.

The date of implementation was indicated as 1 March 2016 (which date was less than 60 days from the date of the filing of the tariff) as required by section 53(8) of the Act. The Authority therefore wrote to Paratus Telecom on 15 February 2016 requesting them to indicate the date of implementation. No response was received from Paratus Telecom on the request.

On 7 April 2016 the Authority wrote to Paratus Telecom postponing the decision date of the tariff by sixty (60) days to 14 June 2016. On 13 June 2016 the Authority postponed the decision date with another 16 days to 30 June 2016.

4. DECISION

The Authority herewith approves:

The YUR SAT tariffs for Paratus Telecommunication Limited as submitted for implementation, effective from 24 June 2016.

F. KISHI
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 265

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 (Act 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 **Paratus Telecommunications (Pty) Limited** has filed a tariff 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*.

Paratus Telecommunications (Pty) Limited 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

F. KISHI**CHAIRPERSON OF THE BOARD OF DIRECTORS****COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA****SCHEDULE 1****SUBMISSION OF PROPOSED TARIFFS BY PARATUS TELECOMMUNICATIONS,
COMMUNICATIONS ACT, 2009**

The following are the proposed tariffs as submitted by Paratus Telecommunications (Pty) Limited:

Product name: YUR SAT

Product aimed at farmers and lodges.

Table 1

Name	Upload/Download speeds	CAP limit	Reseller	Retail
Uncapped bronze	256kbs up/ 1024k bps down	Uncapped	N\$ 1,065.00	N\$ 1,175.00
Capped 20	512 kbs up/ 2048 kbps down	20 Gig	N\$ 2,090.00	N\$ 2,300.00
Uncapped Silver	512 kbs up/ 2048 kbps down	Uncapped	N\$ 2,020.00	N\$ 2,220.00
Uncapped Namibia	512 kbs up/ 3072 kbps down	Uncapped	N\$ 2,528.00	N\$ 2,780.00
Capped 40	512 kbs up/ 4096 kbps down	40 Gig	N\$ 4,180.00	N\$ 4,740.00
Uncapped Africa	512 kbs up/ 4096kbps down	Uncapped	N\$ 4,040.00	N\$ 4,590.00
Capped 50	1024 kbs up/ 10240 kbps down	50 Gig	N\$ 6,280.00	N\$ 7,050.00
Uncapped Gold	1024 kbs up/ 10240 kbps down	Uncapped	N\$ 9,630.00	N\$ 10,720.00
Uncapped Platinum	1024 kbs up/ 10240 kbps down	Uncapped	N\$ 13,970.00	N\$ 15,510.00
	1 Gig Top Up		N\$ 350.00	N\$ 385.00

Table 2

Once Off Costing Options	Retail
Yealink cordless phone	N\$ 1,360.00
Wireless Access Point	N\$ 1,320.00
Hardware Option 1 (1-10 Users)	N\$ 10,056.79
Hardware Option 2 (10+ users)	N\$ 18,911.75
Travel (per Km cost)	N\$ 4.50
Installation fee	N\$ 1,500.00

Terms:

Prices are quoted in Namibian Dollars.

Pricing is based on a 24-month contract and excludes 15% VAT.

The cost of accommodation is excluded from the pricing.

Pricing only includes wall amount kit and additional work and material will be charged separately.

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. 266

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 International Call rates, Inmarsat Call rates and Radio Call rates tariffs as submitted by **Telecom Namibia Limited**, which came into force and effect on **14 May 2016**, 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 No. 8 of 2009 (hereinafter referred to as “the Act”), Telecom Namibia Limited (hereafter referred to as “Telecom”) filed for the approval

of amendment of International Call rates, Inmarsat Call rates and Radio Call rates tariffs on 17 December 2015.

2. PROCEDURAL COMPLIANCE

The proposed tariffs were published as General Notice No. 94 in the Government Gazette No. 5980 dated 31 March 2016 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 14 April 2016.

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 Telecom. The date of commencement of the tariffs is 13 June 2016.

3. FINANCIAL AND ECONOMIC ANALYSIS OF THE NEW CALL RATES FOR INTERNATIONAL, INMARSAT AND RADIO CALL TARIFFS SUBMITTED BY TELECOM NAMIBIA LIMITED

Telecom Namibia requested that all the International call rates, Inmarsat call rates and Radio call rates be amended.

The tariff information is as follows:

Table 1: International Call Rates

1. DESTINATION	Time Period	NS/Minute Current	NS/Minute Proposed	% Change
RSA - Fixed	Peak	1.99	1.99	0%
	Off - Peak	1.19	1.19	0%
RSA - Mobile	Peak	2.30	2.30	0%
	Off - Peak	1.99	1.99	0%
Angola - Fixed	Peak	2.30	2.30	0%
	Off - Peak	2.30	2.30	0%
Angola - Mobile	Peak	3.50	3.50	0%
	Off - Peak	3.50	3.50	0%
Botswana & Swaziland (Fixed)	Peak	2.20	2.20	0%
	Off-Peak	1.55	2.20	42%
Botswana & Swaziland (Mobile)	Peak	2.99	2.99	0%
	Off-Peak	1.99	2.99	50%
Lesotho, Malawi & Mozambique (Fixed)	Peak	2.20	4.99	127%
	Off-Peak	1.55	4.99	222%
Lesotho, Malawi & Mozambique (Mobile)	Peak	2.99	4.99	67%
	Off-Peak	1.99	4.99	151%
Zimbabwe - Fixed	Peak	2.20	2.20	0%
	Off-Peak	1.55	2.20	42%
Zimbabwe - Mobile	Peak	4.35	5.99	38%
	Off-Peak	4.35	5.99	38%
Germany, UK & Portugal (Fixed)	Peak	3.00	3.00	0%
	Off-Peak	2.55	3.00	18%
Germany, UK & Portugal (Mobile)	Peak	3.50	3.00	-14%
	Off-Peak	2.99	3.00	0%

USA (Fixed & Mobile)	Peak	3.50	3.00	-14%
	Off-Peak	2.99	3.00	0%
Netherlands, Sweden, Switzerland, Spain, Australia, France, & Kenya (Fixed)	Peak	3.65	3.65	0%
	Off-Peak	2.99	3.65	22%
Netherlands, Sweden, Switzerland, Spain, Australia, France, & Kenya (Mobile)	Peak	4.30	4.30	0%
	Off-Peak	3.45	4.30	25%
Rest of the World (Fixed & Mobile)	Peak	4.90	6.99	43%
	Off-Peak	3.90	6.99	79%

Table 2: Inmarsat Call Rates

Calls via the INMARSAT SYSTEM	Current Rate/Min (N\$)	Proposed Rate/Min (N\$)
Inmarsat A	35.00	85.00
Inmarsat B	22.00	85.00
Inmarsat C	21.00	85.00
Inmarsat GAN	39.00	85.00
Inmarsat M	22.00	85.00
Inmarsat Mm	16.00	85.00
Inmarsat AERO	35.00	85.00
GMPCS	30.00	85.00
THURAYA	24.00	85.00

Table 3: Radio Call Rates

Calls Via	Current Rate N\$/Min	Proposed Rate N\$/Min	% Increase
VFH	3.45	3.60	4%
MF	5.70	5.99	5%
HF	7.55	7.95	5%
RDD HF	3.80	3.99	5%

Telecom requested for an amendment to the tariffs in 2013. The new request for amendment is due to the following factors:

- i. Fluctuations in exchange rate: Between 2013 and 2016 the exchange rate fluctuated substantially.
- ii. Increased settlement rates: Settlements rate increased in a number of African countries.
- iii. Differences in peak and off-peak rates: the application seeks to align peak and off-peak rates for selected international destinations to time independent charging.

From the analysis done by the Authority the following was established:

- i. On 1 January 2013 the Namibian Dollar was equal to US\$ 8.64 and on 17 December 2015 (the date of the application) the rate of the NAD against the US\$ was 15.19. This is an increase of 75.81%.
- ii. It is clear from the tariffs submitted that the rates for most countries were aligned and that only one rate will now be applicable between peak and off-peak. This created some higher than expected increases in for some countries.
- iii. The Inmarsat call rates were aligned to one rate creating substantial increases. However, these calls are charges in US Dollar and taking into consideration that the last increase was in 2013, the increase could be justified.

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 Telecom Namibia 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 deal 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 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;
 - 2.2 The terms and conditions applicable to the provision of services by Telecom, including rights and remedies available to customers in the event of unauthorised 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 March 2016 (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 7 January 2016 the Authority sent a letter to Telecom requesting Telecom to indicate exactly which information should be treated as confidential in terms of section 28 of the Communications Act for gazetting purposes. Telecom responded on 21 January 2016 indicating the confidential information as requested. The Authority responded on 15 February 2016 indicating to Telecom which information would be treated as confidential. The date of implementation therefore changed to 20 March 2016.

On 10 March 2016 the Authority postponed the date of commencement of the tariff with thirty (30) days in terms of section 53(13) of the Act, in order to examine the reasonableness of the tariff to 22 April 2016. On 11 April 2016 the Authority postponed the commencement of the tariff once more for forty-five (45) days to 13 June 2016.

4. DECISION

The Authority herewith approves:

The amended Tariffs for International Call rates, Inmarsat Call rates and Radio Call rates as submitted by Telecom Namibia Limited for implementation effective from date of approval.

F. KISHI
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 267

2016

NOTICE OF INTENTION TO PRESCRIBE PRICE CAPS FOR DOMINANT OPERATORS FOR LEASED LINES AND ALL OTHER PRE-ARRANGED CONNECTIVITY

The Communications Regulatory Authority of Namibia, in terms of section 53(20)(a) and (d) of the Communications Act, No 8 of 2009 and the “Regulations Regarding Rule-Making Procedures: Communications Act, 2009” as published in Government Gazette No. 4630, Notice Number 334, dated 17 December 2010) publishes this Notice of Intention to Prescribe price caps for dominant operators for leased lines and all other pre-arranged connectivity, which contains the following:

1. Sets out the concise statement of the reasons and purpose for the price caps in Schedule I.
2. A draft of the proposed Regulations as set out in Schedule 2.

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

The public may also make written submissions to the Authority no later than thirty-one days from the date of publication of this Notice of Intention to Make Regulations, in the manner set out below for making written submissions.

Reply comments to written submissions may be submitted to the Authority-

- (a) no later than fifteen days after the time for the making of written submissions has lapsed; or
- (b) if the opportunity for the submission of reply comments is published in a subsequent *Gazette*, after the lapse of fourteen days from the date of such publication.

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 sent or given in any of the following ways:

1. By hand to the head offices of the Authority, namely Communication House, No 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 fax to email to: 0886550852

F. KISHI

CHAIRPERSON OF THE BOARD OF DIRECTORS

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

SCHEDULE 1
CONCISE STATEMENT OF PURPOSE

The purpose of these regulations is -

- a) to prescribe price caps for dominant operators for leased lines and all other pre-arranged connectivity; and
- b) to prescribe limits on the tariffs that any dominant licensee in terms of the Act may charge for pre-arranged connectivity and leased lines in terms of section 53(20)(a) and (d) of the Act.

SCHEDULE 2

**PROPOSED PRESCRIPTION OF PRICE CAPS FOR DOMINANT OPERATORS FOR
LEASED LINES AND ALL OTHER PRE-ARRANGED CONNECTIVITY**

1. Definitions

In these regulations, a word or expression to which a meaning is assigned in the Act shall have the same meaning and –

“Act” means the Communications Act, (No.8 of 2009);

“dominant licensee” means a licensee declared dominant by the Authority in terms of section 78 of the Act;

“leased lines” means a private bi-directional or symmetric telecommunications line between two or more locations provided in exchange for a monthly rent;

“Regulations in respect of Type Approval and Technical Standards for Telecommunications Equipment” refers to the Regulations in respect of Type Approval and Technical Standards for Telecommunications Equipment as published as General Notice 22, Government Gazette No. 5659; and

“reseller” means reseller as contemplated in section 51(4) of the Act.

Submission of documents to the Authority

2. In these regulations, when persons are permitted or called upon to submit information to the Authority in writing, they may do so either physically or electronically -
 - (a) by hand to the head offices of the Authority, namely Communication House, 56 Robert Mugabe Avenue, Windhoek;
 - (b) by post to the head offices of the Authority, namely Private Bag 13309, Windhoek 9000;
 - (c) by electronic mail to the following address: economics@cran.na;
 - (d) by facsimile to the following facsimile number: +264 61 222790; or
 - (e) in any other manner or at alternative addresses set out by the Authority from time to time.

Application and purpose

3. (1) These regulations apply to-
- a. all dominant licensees of telecommunications services for pre-arranged connectivity in the form of leased lines and similar services; and
 - b. managed and unmanaged transmission services, independent of the protocol used (PDH, SDH, ATM, Gigabit Ethernet or similar).
- (2) The purpose of these regulations is to-
- a) to prescribe price caps for dominant operators for leased lines and all other pre-arranged connectivity; and
 - b) to prescribe limits on the tariffs that any dominant licensee in terms of the Act may charge for pre-arranged connectivity and leased lines in terms of section 53(20)(a) and (d) of the Act.

Price Caps

4. (1) The price caps are prescribed as follows:
- | | |
|------------------------------|--------------------------|
| Publication of final Gazette | N\$ 1,425.00 per 2 Mbps; |
| Year 1: | N\$ 1,217.00 per 2 Mbps; |
| Year 2: | N\$ 1,009.00 per 2 Mbps; |
| Year 3: | N\$ 801.00 per 2 Mbps. |
- (2) The price cap is prescribed for a 2Mbps and multiples or fractions thereof at the levels as indicated.
 - (3) The price caps will be applicable to all 2Mbps prices and their multiples and fractions thereof over all distances and for all contract durations to all anyone that resells leased lines or any other form of pre-arranged connectivity.
 - (4) The price cap is reduced over a 36 months period with intervals of 12 months. The first reduction will be with immediate effect on publication of these regulations.
 - (5) The price caps as prescribed will come into effect without any notification or tariff approval process by the Authority.
 - (6) The prescribed price cap are for a 2Mbps and multiples or fractions thereof and do not include customer premise devices.
 - (7) Licensees are required to offer leased lines and other forms of pre-arranged connectivity with and without customer premise devices.
 - (8) Resellers and end users have the choice to use their own devices if approved in terms of the Regulations in respect of Type Approval and Technical Standards for Telecommunications Equipment or use devices provided by Telecom Namibia.
 - (9) Leased lines and other forms of pre-arranged connectivity such as PDH, SDH, ATM, Gigabit Ethernet or similar are required to be provided in a transparent and non-discriminatory manner.

- (10) All licensees must submit the tariffs for distances and different discounts if applicable to the Authority for approval in terms of section 53(1) and (7) of the Act.
- (11) Any dominant licensee has the right to request for review of the price caps after a 24-month period by the Authority.

Condonation

5. (1) In the event a licensee is unable to comply with any time set out in these regulations, it may request from the Authority an extension of time at least seven (7) days prior to the time set out or within such other time period agreed by the Authority upon good cause shown.
- (2) The Authority will respond to the request for condonation as soon as practicable, and may either grant or deny the request, in its sole discretion, based on, among other things, the nature of the proceeding and the reasons for non-compliance with the time set out.

6. Offences

Any dominant operator who fails to implement the price caps as set out in these regulations commits an offence, which the Authority will prosecute in accordance with the Act.

Penalties

7. (1) Any dominant licensee who fails to adhere to any regulation shall be guilty of contravening these regulations.
- (2) Without derogating from the generality of sub regulation (1), where a dominant licensee contravenes one or more of the regulations contained herein, the Authority may-
 - (a) issue to a licensee a written warning and final date for implementing one or more of the regulations contained in these regulations; or
 - (b) require the licensee to implement a remedial plan within a time frame agreed with the Authority; or
 - (c) order the licensee to compensate subscribers or consumers for not implementing the price caps as contemplated in these regulations; or
 - (d) impose a penalty of not more than N\$1,000,000.00 for-
 - i. every failure by a licensee to comply with any requirement or obligation contained in this regulations.
 - (e) Take any other measure the Authority regards as reasonable in the circumstances.
- (3) Any amount of penalty payable in terms of paragraphs (d), (e) or (f) of sub-regulation (2) constitutes a debt due to the Authority by the relevant licensee concerned and may be recovered by the Authority by means of proceedings instituted in any competent court.
- (4) Notwithstanding the provisions of sub regulations (2) and (3), the Authority may waive the payment of or refund the whole or any part of a fine payable.

- (5) Before imposing any penalty as contemplated by paragraphs (d), (e) or (f) of sub-regulation (2), the Authority must give an affected licensee the opportunity to be heard, where after the Authority may -
- (a) decide not to impose any penalty; or
 - (b) impose such penalty the Authority deems fit.

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 268

2016

NOTICE IN TERMS OF SECTIONS 101 OF THE COMMUNICATIONS ACT, 2009 (ACT NO. 8 OF 2009) AND 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 (No. 8 of 2009) read with Regulations 6 and 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 (as amended), herewith gives notice that the application for Spectrum Use Licences for **Telecom Namibia Limited** has been approved.

THE FOLLOWING ARE THE REASONS FOR THE DECISION:

Telecom Namibia Limited (herein after referred to as “the Applicant”) submitted spectrum use licence applications to the Authority on 13 August 2012 for consideration in terms of section 101 of the Communications Act of 2009 (hereinafter referred to as “the Act”) and in accordance with Regulations regarding Licensing Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences as published in Government Gazette No. 4785, General Notice No. 272 dated 29 August 2011 (as amended).

BACKGROUND TO APPLICATION

The Applicant was awarded an Individual telecommunications service licence (ECS and ECNS) in terms of section 45 of the Communications Act, 2009. The company is wholly owned by the Namibia Posts and Telecommunications Holding Company which is in turn owned by the Namibian Government.

The Applicant submitted an application for additional spectrum use licences as indicated below-

- (i) 903-905 MHz paired with 948-950 MHz (2x 2MHz)
- (ii) 880-890 MHz paired with 925-935 MHz (2x 10 MHz)

The Applicant submitted the application on 13 August 2012 without any technical support documentation as required by section G of the spectrum use licence application forms. The Authority was therefore, unable to proceed with consideration of the said application as submitted.

The Authority enquired from the Applicant on 23 June 2015 as to whether the Applicant still wished the Authority to consider the applications as no outstanding documentation was submitted up to and inclusive of the aforementioned date.

The Applicant submitted all outstanding documentation in respect of the application for 2x 2MHz in the 900 MHz band on 16 July 2015. The application submitted for 2x 10 MHz in the E-GSM spectrum band was withdrawn by the Applicant on the same date.

The Applicant stated in its application that the additional 2x 2 MHz spectrum in the 900 MHz band is required to-

- i) Expand mobile voice coverage;
- ii) Improve indoor voice coverage;
- iii) Expand mobile data coverage;
- iv) Improve indoor mobile data coverage;
- v) Improve network quality; and
- vi) Expand network capacity.

The Applicant currently holds spectrum use licences for 2x 10 MHz in the 900 MHz spectrum band. The spectrum was initially utilized for 2G mobile services only. Following network upgrades completed in 2013 the Applicant utilised the aforementioned spectrum use licences to provide 2G and 3G mobile services.

The implementation of 3G mobile services in addition to 2G mobile services in the same spectrum band resulted in a decrease of quality of service and interference between 2G and 3G services. The Applicant therefore, submitted the application for 2x 2MHz additional spectrum to address interference and quality of service issues and to allow for the expansion of network coverage.

The application as submitted is supported by equipment specifications, network layout and network rollout plans as required by section G of the spectrum use application form.

PROCEDURAL COMPLIANCE

Following due process in terms of Regulations Regarding Licensing Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences, the Authority published a notice in the Government Gazette No. 5805 Notice No. 385, dated 12 August 2015 allowing fourteen (14) days for public comments. No comments were received in the time period allowed.

SUBSTANTIVE CONSIDERATIONS

The Applicant is a well-established telecommunications service licensee providing telecommunications services since 1992 and has expanded its service offering from fixed telecommunications services to include mobile telecommunications services with the acquisition of Powercom (Pty) Ltd in 2012. The Applicant is ranked second in Namibia based on the Authority's market information on telecommunications service licensees providing mobile voice and data services. It should be noted that network coverage for mobile services is reaching approximately 68% of the Namibian population compared to 95% population offered by its competitor in the market.

The issuance of spectrum use licences by the Authority is guided by-

- i. Section 101 of the Communications Act, 2009;
- ii. International Telecommunications Union Regulations and subsequent international agreements signed by Namibia as a member state of the International Telecommunications Union; and
- iii. Regulations Setting Out the Frequency Band Plan for Namibia as published in Government Gazette No. 5214, General Notice No. 191 dated 31 May 2013.

The spectrum as applied for in the 900MHz spectrum band by the Applicant is allocated for provisioning of mobile services in terms of the Regulations Setting Out the Frequency Band Plan for Namibia as published in Government *Gazette* No. 5214, Notice No. 191 dated 31 May 2013. The application for spectrum in the 900 MHz spectrum band as submitted thus complies with the spectrum requirements as set forth in the aforementioned regulations. The Applicant has paid all spectrum fees for the calendar year 2015 for existing spectrum use licences and there exist no prohibition for the Authority to consider these applications.

All documentation as required on the spectrum use licence application form has been submitted to the Authority on 16 July 2015.

The 900 MHz spectrum band is licensed on a national basis to allow licensees to provide services throughout Namibia. The Authority has already awarded spectrum use licences to MTC, Telecom Namibia Limited and Paratus Telecommunications (Pty) Ltd for the provisioning of GSM (2G), UMTS (3G) and LTE (4G) services as shown in the table below.

Licensor Name	Spectrum Use Licences	IMT Services Offered
Telecom Namibia Limited	2x 5MHz 800 MHz band	CDMA*
	2x 10 MHz 900 MHz band	GSM (2G)
	2x 20 MHz 1800 MHz band	LTE (4G)
	2x 10 MHz 2100 MHz band	UMTS (3G)
	2x 48 MHz 2600 MHz band	Wimax*
Total	2x 93 MHz	
Mobile Telecommunications Limited	2x 13 MHz 900 MHz band	GSM (2G)
	2x 15 MHz 1800 MHz band	GSM (2G)
	2x 20 MHz 1800 MHz band	LTE (4G)
	2x 15 MHz 2100 MHz band	UMTS (3G)
Total	2x 63 MHz	
Paratus Telecommunications (Pty) Ltd	2x 19.8 MHz 1800 MHz band	LTE (4G)
	2x 20 MHz 2100 MHz band	LTE (4G)
	2x 20 MHz 2600 MHz band	Wimax*
Total	2x 59.8 MHz	

Wimax and CDMA spectrum were historically assigned by the Namibian Communications Commission and are not considered as IMT technologies by ITU. The 2600 MHz band is identified for IMT services in terms of WRC-07 whilst the 800 MHz band is identified for IMT services on conclusion of migration of analogue to digital terrestrial television services.

Technical Analysis of the application

The Applicant already holds spectrum use licences for 2x 10 MHz spectrum in the 900 MHz spectrum band awarded on 13 September 2012 as published in Government Gazette No. 5037, Notice No. 308. The Authority requested the Applicant to prove efficient use of the aforementioned spectrum use licence in accordance with regulation 11(2)(b) of the Regulations Setting Out Spectrum Use Licence Conditions as published in Government Gazette No. 5354, Notice No. 469 dated 2 December 2013.

The Applicant submitted a detailed analysis of current network utilisation in the 900 MHz spectrum band supported by statistics and drive test result to prove efficient use of spectrum. The Authority also takes note that the 2x 10 MHz spectrum currently assigned to the Applicant is divided between 2G services (2x 5MHz) and 3G (2x 4.8 MHz) respectively, with a guard band of 200 KHz to serve as protection from interference between 2G and 3G services.

The 2x 2 MHz spectrum applied for by the Applicant is located between the existing spectrum use licences currently awarded to Mobile Telecommunications Limited and the Applicant. The amount of

vacant spectrum (2x 2MHz) is insufficient to allocate to a new entrant as a “stand-alone” assignment and can only be fully utilised by awarding such spectrum use licence to a licensee holding the spectrum use licences for adjacent spectrum.

The Authority is of the opinion that the Applicant has proved efficient utilisation of spectrum use licences awarded in the 900 MHz band.

Notice of Intention to impose additional conditions

The Applicant currently provides service coverage for mobile services to 68% of the population and is lagging behind its competitor Mobile Telecommunications Limited in service accessibility. The Applicant submitted a network rollout plan comprising of sixty eight (68) additional sites to be implemented should the additional spectrum use licence be awarded to the Applicant.

On 26 October 2015, the Authority requested the Applicant to provide timelines for implementation over a period of three (3) years, taking into account that the implementation of these sites will require significant capital investment by the Applicant over the aforementioned time period. The Authority further informed the Applicant that it intends to impose network rollout obligations as a licence condition should the spectrum use licence be awarded, to ensure that the Applicant improves its network service quality and accessibility of 2G and 3G mobile voice and data in urban and rural areas. The Applicant informed the Authority that it has no objections to the imposition of the aforementioned licence conditions on 11 February 2016 (The envisaged network rollout plan can be obtained at the offices of the Authority).

On the 11th of February 2016, Applicant responded with the roll-out plans for additional spectrum in the 900 MHz band and further indicated that they accept the roll out obligations as expressed in the Authority’s letter dated 26 October 2015.

Analysis of the application

The Authority is of the opinion that a favourable consideration of this application and enforcement of the envisaged network rollout by imposing spectrum use licence conditions will support the further expansion of high quality telecommunications services utilising the latest technology available. In addition thereto, it will improve the Applicant’s ability to compete with Mobile Telecommunication Limited, in that it will be able to provide 2G and 3G services in geographical areas not previously covered and consumers will have a wider choice of services. This application is thus considered to be aligned with the objects of the Act as referred to above.

Spectrum Use Licences are issued subject to the Regulations Setting out Licence Conditions for Spectrum Use Licences. Regulation 6(4) of the conditions provides that:

“A spectrum use licence issued in respect of telecommunications and broadcasting service licences shall lapse six months after the date of issuance thereof.”

Regulation 6(5) indicates that if the Authority –

- (a) *Is satisfied that a licensee has –*
 - (i) *Within six months after issue of licence, failed to commence to carry on services in respect of which it is licensed.*

It must be noted that the spectrum use licence conditions are generic in that they are applicable to all licensees. This means that Applicant in this matter is required to roll out services within six (6) months from date on which the licence is issued. However as indicated above, the licence in this regard will be issued with coverage roll out obligations to be implemented over a period of three

(3) years. This means that imposing the generic obligation of rolling out services in six (6) months as explained will result in a conflict with the obligation of rolling out the services in identified geographical areas over a period of three (3) years as agreed to by Applicant.

In light of the above, it is recommended that regulation 6(4) & (5) of the Regulations Regarding Licence Conditions for Spectrum Use Licensee as published in Government Gazette No. 5354, General Notice No. 469, dated 2 December 2013 are amended in as far as it is applicable to Applicant to read as follows:

The spectrum use licence issued to Applicant in respect of telecommunications services shall lapse twelve (12) months after date of issuance, if the Authority is satisfied that Applicant has failed to commence to provide services in respect of which it is licenced within in the geographical areas listed for implementation during the calendar year 2016 as indicated in envisaged roll out network plan.

The process for determining the lapse of licence is as contained in regulations 6(5) (6) and (7) of the spectrum use licence condition. The rest of the conditions are applicable to Applicant in its current format.

Findings of the Authority

The Authority is therefore of the opinion that the approval of the Applicant's application for 2x 2 MHz in the 900 MHz spectrum band -

- i) will allow the Applicant to expand its current service offering and increase its ability to compete with Mobile Telecommunications Limited;
- ii) Support local investment in the industry;
- iii) Will promote technological innovation and the deployment of advanced facilities and services; and
- iv) Provide the consumer with a wider choice of service providers of data services taking into account an ever increasing demand for high speed data services.

Secondly, the Management Licensing Committee recommends the imposition of spectrum use licence conditions to enforce the efficient use of spectrum on a national basis in compelling the Applicant to implement the sixty eight (68) geographical locations as contained in the envisaged roll out plan over a period of three (3) years from the date of the award of the spectrum use licence for 2 x 2 MHz in the 900 MHz spectrum band.

DECISION

The Authority herewith approves -

- 1) To approve the award of additional spectrum use licence to Telecom Namibia Limited for 2G and 3G services for 903-905 MHz paired with 948-950 MHz as per the submission to the Board herein dated the 05th of April 2016 at its Board meeting of 18 April 2016, provided that Telecom Namibia Limited first pays the outstanding spectrum use licence fees for 2016 and the required amount for the additional spectrum applied for herein.
- 2) Further, the licence is awarded subject to the Communications Act, 2009 (Act No. 8 of 2009) and the Regulations Regarding Licence Conditions for Spectrum Use Licensee as published in Government Gazette No. 5354, General Notice No. 469, dated 2 December 2013 with the following conditions:

- (a) The licence is awarded on condition that Telecom Namibia Limited rolls out the provision of telecommunications services in the sixty eight (68) geographical locations as per the listed in the envisaged roll out plan of the Board submission dated the 05th of April 2016, over a period of three (3) years from the date of the award of this spectrum use licence;
- (b) The Licence shall not lapse within six (6) months from date of issuance, and Regulation 6(4) & (5) of the spectrum use licence conditions are amended in as far as it is applicable to Telecom Namibia Limited to read as follows:
- “...The spectrum use licence issued to Telecom Namibia Limited in respect of telecommunications services shall lapse twelve (12) months after date of issuance, if the Authority is satisfied that Applicant has failed to commence to carry on services in respect of which it is licenced within in the geographical locations listed for implementation during the calendar year 2016 as indicated in the envisaged roll out plan and
- (c) In the event that Telecom Namibia Limited fails to roll out the provision of telecommunications services as per the geographical locations listed in the envisaged roll out plan over a period of three (3) years or at the end of each cycle of 12 months, the Authority will follow the process as contained in regulations 6(5) (6) and (7) of the spectrum use licence condition. The Authority will enforce the licence conditions in terms of Sections 114 – 116 of the Act.

Kindly take note that section 31 of the Communications Act provides that the Authority may, on its own motion or on a petition filed by an aggrieved party to any proceedings, reconsider any order or decision that it has made, within 90 days from the date of making that decision or issuing that order.

F. KISHI
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 269

2016

**AMENDMENT OF REGULATIONS IN RESPECT OF TYPE APPROVAL AND
TECHNICAL STANDARDS FOR TELECOMMUNICATIONS EQUIPMENT:
COMMUNICATIONS ACT, 2009**

The Communications Regulatory Authority, in terms of section 80 read with section 129 of the Communications Act, 2009 (Act No. 8 of 2009), amends the Regulations in respect of Type Approval and Technical Standards for Telecommunications Equipment published in General Notice No. 22 of 30 January 2015 by substituting the preamble thereof as follows:

“The Communications Regulatory Authority of Namibia, in terms of section 80 read with section 129 of the Communications Act, 2009 (Act No. 8 of 2009) and the “Regulations Regarding Rule-Making Procedures: Communications Act, 2009” published as a General Notice No. 334 in Government Gazette No. 4630 dated 17 December 2010, hereby publishes these Regulations in respect of Type Approval and Technical Standards for Telecommunications Equipment which will be in force and effective from date of publication of this Notice in the Gazette. There will be a transitional period within which applicants must obtain approval from the Authority in respect of telecommunications equipment, which transition period shall commence from the date of publication hereof and shall lapse on **31 October 2016**.

The transition period for the implementation of the Regulations in respect of Type Approval and Technical Standards for Telecommunications Equipment is extended from **01 May 2016 to 31 October 2016** subject to the following conditions:

- a) All applications must be submitted within 90 days commencing from 01 May 2016 which period will lapse on 31 July 2016;
- b) The Authority must process all applications received within the 90 days referred to above within a period of 90 days which period lapses on 31 October 2016;
- c) All applications received after 31 July 2016, will be processed on a first come first serve basis, except if the applicant can prove that the telecommunications equipment was manufactured/introduced in the market after 31 July 2016, in which case the Authority must process the application by 31 October 2016; and
- d) All applications submitted after 30 September 2016 must ensure that they receive type approval certificates before they import any telecommunications equipment into the country.

The purpose of the extension is to allow all persons to whom the Regulations are applicable, to submit and obtain type approval certificates.”

F. KISHI
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 270

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 (Act 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 **Telecom Namibia Limited** 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*.

Telecom Namibia Limited 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

F. KISHI

CHAIRPERSON OF THE BOARD OF DIRECTORS

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

SCHEDULE 1

SUBMISSION OF PROPOSED TARIFFS BY TELECOM NAMIBIA LIMITED COMMUNICATIONS ACT, 2009

1.1 VSAT Voice Package

Description	Voice Package Monthly Charge (N\$)
Subscription	395
Minimum Usage (Calls)	855
Total Monthly Charge	1250

- Additional voice line/s – Per Gazetted tariff (N\$117)
- CPE – Required CPE will be charged separately.
- Call charges – Standard Gazetted VSAT Call Charges will apply.

1.2 VSAT Internet access

Data Only	192k	256k	384k	512k	1024k	2048k
Internet usage	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited
Download (kbps)	192	256	384	512	1024	2048
Uplink (kbps)	96	128	128	192	384	512
Monthly Charge N\$	1,409	1,809	2,119	2,439	5,459	9,749
(36 month Contract)						

1.3 Once off Charges encompasses the following and are project based:

- Installation/Transfer charge – hourly rate of N\$ 580.00
- Transport cost – based on applicable AA rates (beyond Minimum Rental Area Only)
- S & T, Accommodation & Overtime – Based on required material for given installation.
- Material - based on required material for given installation.
- CPE – Based on the CPE used depending on the specific installation.

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. 271

2016

NOTICE OF ORAL HEARING IN TERMS OF REGULATION 7 OF THE REGULATIONS REGARDING RULE-MAKING PROCEDURES

The Communications Regulatory Authority of Namibia in terms of Regulation 7 of the Regulations regarding Rule-making Procedures as published in Government Gazette 4630, General Notice No.334 dated 17 December 2010 herewith gives notice that it will hold a hearing regarding the proposed **Regulations setting out the Frequency Channeling Plan for the Spectrum Bands 694-790 MHz and 790-862 MHz**, as published in the Government *Gazette* 6054, General Notice No. 213, dated 28 June 2016 and **Regulations setting out Spectrum Band Plan of Namibia** as published in the Government *Gazette* 6033, General Notice No. 179, dated 10 June 2016 as follows:

DATE: 09 August 2016
TIME: 09h00 registration at 08h30
VENUE: Arebbusch Travel Lodge

The public is invited to make comments and/or oral submissions at the hearing on the Regulations regarding the Regulations setting out the Frequency Channeling Plan for the Spectrum Bands 694-790 MHz and 790-862 MHz and Regulations setting out Spectrum Band Plan of Namibia. All written comments and notices of oral submissions to be made during the hearing must be submitted to the Authority on or before **29 July 2016**.

All written comments notices of oral submissions must be submitted to the Authority 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;
3. By electronic mail to the following address legal@cran.na;
4. By facsimile to the following facsimile number +264 61 222 790; or
5. By fax to email to: 088642748

Oral submissions must-

1. Include a statement of the name and contact details of the person making the oral submissions and the name and contact details of the person for whom the oral submission is made, if different; and
2. Be clear and concise.

Questions, queries and further clarification must be directed to legal@cran.na or contact the Legal Advice Department at Tel: +264 61 222666.

**F. KISHI
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA**
