



Republic of Namibia
Annotated Statutes

REGULATIONS

REGULATIONS SURVIVING IN TERMS OF

Communications Act 8 of 2009
section 135(1)

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

Government Notice 108 of 2007

(GG 3858)

came into force on date of publication: 15 July 2007

These regulations were originally made in terms of section 27 of the Namibian Communications Commission Act 4 of 1992, which was repealed by the Communications Act 8 of 2009. In terms of section 135(1) of that Act, "Any regulation or notice issued under a law repealed by section 133 that may be made under any provision of this Act, is deemed to have been made under such provision."

read together with

General Notice 311 of 2012 (GG 5037)

came into force on date of publication: 13 September 2004

The Regulations regarding Administrative and Licence Fees for Service Licences in General Notice 311/2012 amend these regulations insofar as they are inconsistent with General Notice 311/2012. No specific amendments are noted.

ARRANGEMENT OF REGULATIONS

1. Definitions
 2. Application for a VSAT telecommunications licence
 3. Application fees
 4. Licence fees
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Definitions

REGULATIONS
Communications Act 8 of 2009

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

1. 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.

Application for a VSAT telecommunications licence

2. (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.

Application fees

3. 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.

Licence fees

REGULATIONS
Communications Act 8 of 2009

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

4. (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.