



# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

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WINDHOEK - 17 February 2014

No. 5411

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## General Notices

### COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 39

2014

**NOTICE IN TERMS OF SECTION 42 (2) OF THE COMMUNICATIONS ACT, 2009 (ACT NO. 8 OF 2009) READ WITH 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 42 (2) of the Communications Act, 2009 (Act No. 8 of 2009), and Regulation 13 of the “Regulations Regarding Licensing Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences”, in Government Gazette No. 4785, General Notice No. 272, dated 29 August 2011 (As amended), herewith gives notice of the following licensee who is assigned with the following frequency effective from date of publication of this Notice in the *Gazette*:

Licensee	Licence to be modified	Grounds for Modification	New Assignments
Multichoice Namibia (Pty) Ltd	Spectrum Use Licence	There is an adjacent channel interference experienced with One Africa Television (Pty) Ltd.'s frequency of 690 MHz transmitting from Gross Hertzog.	The Authority has identified: 498.0 MHz for transmission within the area of Windhoek for operation of the 2 <sup>nd</sup> multiplexer;
		During the coordination process with ITU, frequency 546.0 MHz was changed for interference purposes, and it is therefore no longer in accordance with the Digital Terrestrial Television Frequency Plan.	594.0 MHz for transmission within the area of Walvis and Swakopmund for the operation of the 1 <sup>st</sup> Multiplexer;
		During iteration 32, the spectrum management staff conducted a manual audit of the frequencies and identified that 666 MHz is active and licenced to One Africa Television (Pty) Ltd at Walvis Bay and therefore resulted in interference with the recently awarded 666 MHz to Multichoice Namibia (Pty) Ltd.	690.0 MHz for transmission within the area of Walvis Bay and Swakopmund for the operation of the 2 <sup>nd</sup> Multiplexer; and
		The spectrum and licensing officer accidentally assigned the same frequency as the 1 <sup>st</sup> Multiplexer. i.e. 618 MHz.	682.0 MHz for transmission within the geographical area of Oshakati for operation of the 2 <sup>nd</sup> Multiplexer.

**L.N. JACOBS**  
**CHAIR PERSON OF THE BOARD**  
**COMMUNICATIONS REGULATORY AUTHORITY**

### COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 40

2014

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

The Communications Regulatory Authority of Namibia, in terms of 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 **Telecom Namibia 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](http://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](mailto:legal@cran.na);
- (4) by facsimile to the following facsimile number: +264 61 222790; and
- (5) by fax to e-mail to: 0886550852.

**L.N. JACOBS**  
**CHAIR PERSON OF THE BOARD**  
**COMMUNICATIONS REGULATORY AUTHORITY**

### SCHEDULE 1

#### SUBMISSION OF AMENDED TARIFFS FOR BASIC TELEPHONE AND ISDN (INTEGRATED SERVICES FOR DIGITAL NETWORK) LINE RENTALS BY TELECOM NAMIBIA LIMITED, COMMUNICATIONS ACT, 2009

Type of Service	Current Price	Proposed Price	% Increase
Residential Analogue Line (Within MRA)	66.00	72.00	9.1%
Business Analogue (Within MRA)	73.00	82.00	12.3%
Residential / Business Analogue (Outside MRA)	97.00	103.00	6.2%
ISDN BRA (Main Service)	181.00	203.00	12.2%
ISDN BRA (per additional MSN)	33.00	37.00	12.1%

**COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA**

No. 41

2014

**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 section 38 of the Communications Act (No. 8 of 2009) and regulation 9 of the “Regulations Regarding Transitional Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences”, as published in Government Gazette No. 4737, General Notice No. 171, dated 17 June 2011 herewith gives notice that the person referred to in the table below, have been awarded the following licence effective from date of publication of this notice in the *Gazette*:

<b>Licensee</b>	<b>Licensees' Citizenship or place of incorporation</b>	<b>Percentage of Stock owned by Namibian Citizens or Namibian Companies controlled by Namibian Citizens</b>	<b>Category of Class Telecommunications service to be provided</b>	<b>Does Licensee intend to use spectrum in the provision of the telecommunications service?</b>	<b>Concise statement on services intended to be provided</b>	<b>Description of geographic coverage area(s)</b>	<b>Proof of Licence Application Fees paid?</b>
Mobile Telephone Networks Business Solutions (Namibia) (Pty) Ltd t/a MTN Business	South Africa	0% <sup>1</sup>	Class Comprehensive Telecommunications Service Licence (ECNS & ECS)	Although applicant intends to use spectrum in the provision of telecommunication services, it is in the spectrum use licence exempt band as contained in the Regulations Regarding Licence Exempt Spectrum published in Government Gazette No. 4839, Notice No. 395, dated 25 November 2011.	Electronic Communications	Namibia	Yes

The licence is issued subject to the Communications Act, 2009 (Act No 8 of 2009) and the Regulations Regarding Licence Conditions for Telecommunications Service Licences, as published in Government Gazette No. 5037, Notice No. 308, dated 13 September 2012.

**Reasons for Decision**

Mobile Telephone Networks Business Solutions (Namibia) (Pty) Ltd was lawfully providing telecommunications services<sup>2</sup> without a licence on date (18 May 2011) of commencement of the Communications Act, 2009 (Act No. 8 of 2009). This is because the Namibian Communications Commission Act, 1992 ( Act No. 4 of 1992) (now repealed) did not require a licence for the provision of the telecommunications services that was provided by Mobile Telephone Networks Business Solutions (Namibia) (Pty) Ltd. Pursuant to section 135(5) of the Communications Act, Mobile Telephone Networks Business Solutions (Namibia) (Pty) Ltd submitted information forms for licence review purposes within six (6) months of the commencement of the Act.

<sup>1</sup> Subject to Section 46(2) of the Communications Act, 2009 (Act No 8 of 2009).

<sup>2</sup> Provided internet access, virtual private networks, wireless access network optimization services, hosting of emails, cloud services and disaster recovery, managed firewall services and a 24/7/365 support centre.

Following due process in terms of Regulations Regarding Transitional Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences, the Authority published a notice in the Government Gazette 5311, Notice No. 405, dated 11 October 2013 allowing thirty (30) days for public comment as required by regulation 9(3) of the aforementioned regulations. Comments were received from Telecom Namibia Limited and Paratus Telecommunications (Pty) Ltd. Mobile Telephone Networks Business Solutions (Namibia) (Pty) Ltd submitted reply comments on 18 November 2013.

Namibia has adopted a service and technology neutral licensing regime, which is captured in the definition of electronic communication services as defined in the Communications Act. As a result, the award of service licences are no longer limited to traditional fixed and mobile services, nor to the type of technology deployed, but also includes cloud services, voice-over-IP services and Internet service providers. The regime does not dictate to the licensee the type of services that it may provide, as long as the services provided fit into the definition of electronic communications. Mobile Telephone Networks Business Solutions (Namibia) (Pty) Ltd has over the years invested in technology and people to provide electronic communications services in Namibia. Last mile access to customer premises is provided via IP not requiring the assignment of any spectrum. As such no application for spectrum use has been submitted to the Authority by Mobile Telephone Networks Business Solutions (Namibia) (Pty) Ltd.

Mobile Telephone Networks Business Solutions (Namibia) (Pty) Ltd was granted an exemption in terms of section 46(2) of the Communications Act, in respect of its foreign shareholding of 100% by MTN Group Limited was authorised by the Minister on 2 September 2013. The award of the licence is subject to the condition that 30% of its registered stock devolves to Namibian shareholders within three (3) years after a telecommunications licence is issued as set by the Minister in its letter of approval dated 2 September 2013.

**L.N. JACOBS**  
**CHAIR PERSON OF THE BOARD**  
**COMMUNICATIONS REGULATORY AUTHORITY**

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**COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA**

No. 42

2014

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

The Communications Regulatory Authority of Namibia, in terms of 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 **Telecom Namibia 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](http://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](mailto:legal@cran.na);
- (4) by facsimile to the following facsimile number: +264 61 222790; and
- (5) by fax to e-mail to: 0886550852.

**L.N. JACOBS**  
**CHAIR PERSON OF THE BOARD**  
**COMMUNICATIONS REGULATORY AUTHORITY**

### SCHEDULE 1

#### SUBMISSION OF TARIFFS FOR VOICE CALL PLANS/PACKAGES BY TELECOM NAMIBIA LIMITED, COMMUNICATIONS ACT, 2009

#### 1. Talk International

Telecom Namibia Limited Talk International package is a call plan that will enable customers to sign-up for a 6 (six) month contract and make calls to any of the selected international destinations as set out in the table below:

International Destination	Out of Bundle N\$ Per Minute	Bundled Minutes
<b>Group 1</b> Republic of South Africa <b>Fixed and Mobile</b>	0.99	Free minutes Limited to 100 P/ month during peak or off-peak time
<b>Group 2</b> Angola Botswana Zambia <b>Fixed and Mobile</b>	1.49	
<b>Group 3</b> Germany, United Kingdom and United States of America <b>Fixed and Mobile</b>	1.99	
Out of bundle any time rates as per table above will apply to the above destinations. Normal gazette tariffs will apply to any other destinations.		
International Call Plan	Charges	
Monthly Charge (3 months)	N\$ 199.00	

#### 2. Multi-Talk Family Package

The Multiple-Talk Family package will enable fixed line residential customers (post-paid) to apply for more than one analogue exchange connections/lines for different family members in the same or different towns under one name as per the table below:

	<b>Family Package 2 Lines</b> <b>2 urban lines / Urban and Rural</b>
On-net Peak and Off-Peak calls	Free and Unlimited between package numbers
Out of package calls	Normal fixed line call rates apply
Fixed to mobile call rates (off-net)	Normal fixed to mobile call rates apply
Installation Fee for two Residential lines	<b>N\$ 349.00</b>
Activation Fee	-
Monthly Rental (two Residential lines) 12 (twelve) months contract	<b>N\$ 105.00</b>

Multi-Talk Family Package maximum number of lines will be limited to 3 (three) per package.

- Multi-Talk Family Package free calls will be activated between 3 (three) numbers only.
- Installation and Activation for Multi-Talk Family package additional line (N\$199.00)
- Line Rental for Multi-Talk Family package additional (N\$49.00)
- Normal international call rates apply.

### 3. Corporate Call Plans

Telecom Namibia Limited Corporate Call Plans will enable customers to make local and national calls at special rates after reaching pre-defined usage thresholds (in minutes) or customers will pay flat monthly rental and enjoy unlimited local and national minutes.

<b>Local Calls</b>		<b>National Calls</b>	
<b>Minutes Threshold</b>	<b>Savings %</b>	<b>Minutes Threshold</b>	<b>Savings %</b>
0 – 49,999	0%	0 – 49,999	0%
50,000 – 99,999	-5%	50,000 – 99,999	-5%
100,000 – 199,999	-7%	100,000 – 199,999	-7%
200,000 and More	-10%	200,000 and More	-10%

*Note: The discounts will be applied on peak or off-peak minutes above threshold within a defined bracket.*

<b>Monthly Flat Rate</b>	<b>Call Plan</b>	<b>N\$ / Minute</b>
N\$ 70,000	Local Calls	Unlimited
N\$ 250,000	National Calls	Unlimited
N\$ 300,000	Local and National Calls	Unlimited

The flat rate call plan will be offered to customers on a 12 (twelve) months contract.

### 4. LCR (LEAST COST ROUTER) /PABX (PRIVATE AUTOMATIC BRANCH EXCHANGE) Business Solution Package

<b>Features</b>	<b>Entry</b>	<b>Standard</b>	<b>Advanced</b>
PABX	Pre-requisite	Pro-requisite	Pro-requisite
PABX capacity (trunks)	4-8	12-24	24-48
Least cost routing			
LCR Tariff N\$	0.65	0.65	0.65
Calls rate within group N\$	0.25	0,25	0.25
Calls rate outside group N\$	0.80	0.80	0,80
SMS rate within group N\$	0.25	0.25	0.25

SMS rate outside group N\$	0.35	0.35	0.35
Data (MB) per month	500MB	1024MB	2048MB
N\$/MB	0.90	0.90	0.90
Free Minutes per month	100	200	300
Call forwarding (fixed to mobile)	Normal rates apply		
Number of GSM Dual phones	1 GSM phone per package		
Contract Period (months)	24	24	24
Once-off activation fee per number	N\$ 175.00	N\$175.00	N\$175.00
Monthly Fee per subscriber	N\$269.00	N\$379.00	N\$639.00

Telecom Namibia Limited LCR/PABX Business Solution Package offers a combination of fixed and mobile services, which consist of the following:

GSM (Global Systems for Mobile communications) phones were identified for each package. All other calls will be charged at normal rates. Additional features like call limits, voicemail, CLIP1 & 11 and CDR are also available and part of the offer.

## 5. GENERAL

In the event of incorrect billing, customers are entitled to register a dispute over the affected portion of the account by reporting through the Customer Care Centre's toll free number 1100 or the nearest Teleshop of Telecom Namibia Limited.

## COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 43

2014

### 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 5 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 persons referred to in the table below, submitted application for the following to the Authority:

#### Service Licence Application:

Applicants Name;	Applicant's citizenship or place of incorporation;	Percentage of Stock owned by Namibian Citizens or Namibian Companies Controlled by Namibian Citizens;	Category of Broadcasting service licence as contemplated in the Regulations Setting out Broadcasting and Telecommunications Service Licence categories;	Provision of signal distribution;	Whether applicant intends to use spectrum in the provision of broadcasting services intended to be provided;	Proof of Application fees paid up to date submitted?
Otji-Investments CC t/a Otji-FM	Namibian	100%	Commercial Broadcasting Service License	Own	Yes	Yes

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, fi 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: 0886550852.

**L.N. JACOBS**  
**CHAIR PERSON OF THE BOARD**  
**COMMUNICATIONS REGULATORY AUTHORITY**

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**COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA**

No. 44

2014

**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”, in Government Gazette No. 4785, Notice No. 272, dated 29 August 2011, (as amended), herewith gives notice that the persons referred to in the table below have submitted the following applications to the Authority:

**Spectrum Use Licence Applications**

Applicant's Name	Applicant's citizenship or place of incorporation	Percentage of Stock owned by Namibian Citizens or Namibian Companies controlled by Namibian Citizens	List of radio frequencies or groups of radio frequencies applied for	List of radio frequencies or groups of radio frequencies being considered for assignment by the Authority	Description of geographic coverage area(s)			License Fees Outstanding	Service to be provided using frequency applied for	Party providing Signal Distribution
					Region	District	City/Town			
Otji-Investments CC t/a Otji-FM	Namibia	100 %	88– 108 MHz	102.3 MHz	Otjonzondjupa	Otjiwarongo	Otjiwarongo	Yes	Commercial Broadcasting Service	Own

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: 0886550852.

**L.N. JACOBS**  
**CHAIR PERSON OF THE BOARD**  
**COMMUNICATIONS REGULATORY AUTHORITY**

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**COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA**

No. 45

2014

**NOTICE IN TERMS OF SECTION 42(2) OF THE COMMUNICATIONS ACT, 2009 (ACT NO. 8 OF 2009 READ WITH 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 42(2)** of the Communications Act, 2009 (Act No. 8 of 2009), and **Regulation 13** of the “Regulations Regarding Licensing Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences”, in Government Gazette No. 4785, General Notice No. 272, dated 29 August 2011, (as amended), herewith gives notice of the following in respect of **CAPRICORN RADIO CC** which will be in force and effective from date of publication of this Notice in the *Gazette*.

1. Capricorn Radio CC was assigned with the frequency 102.3 MHz for the geographical area of Rehoboth as published in Government Gazette No. 5179, General Notice No. 114, of 17 April 2013.
2. The Authority assigned the frequency of 102.3 MHz to Capricorn Radio CC erroneously insofar as the said frequency was already assigned to another licensee namely Media for Christ (section 21 association not for gain) on 13 September 2012 in terms of Government Gazette No. 5037, General Notice No. 306 of 13 September 2012.
3. The Authority has identified 96.1 MHz as an alternative frequency for assignment to Capricorn Radio CC. This was the frequency that had to be assigned to Capricorn Radio CC by the Authority.
4. Thus, the Authority approved that the spectrum use licence issued to Capricorn Radio CC on 17 April 2013 in terms of Government Gazette No. 5179, General Notice No. 114, of 17

April 2013 be modified to reflect the new frequency as 96.1 MHz, and as such awarded the frequency 96.1 MHz to Capricorn Radio CC for the services they intend to provide.

5. The Authority deems the modification necessary, not only because the assigned frequency was already assigned to another licensee, but also to fulfil the Communications Act's object of stimulating the commercial development and use of radio frequency spectrum in the best interests of Namibia in terms of Section 2(h) of the Act.
6. This spectrum is issued subject to the Communication Act, 2009 (Act No. 8 of 2009) and the Regulations Setting Out Licence Conditions for Spectrum Use Licences published in Government Gazette No. 5354, General Notice No. 469, dated 2 December 2013.

**L.N. JACOBS**  
**CHAIR PERSON OF THE BOARD**  
**COMMUNICATIONS REGULATORY AUTHORITY**

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