



# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

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## General Notices

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### COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 77

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, and section 53 of the Communications Act, Act No. 8 of 2009, herewith gives notice of the following tariffs for **Telecom Namibia Limited**, which will be in force and effective from date of publication of this notice in the *Gazette*:

**SUBMISSION OF AMENDED TARIFFS FOR BASIC TELEPHONE AND ISDN  
(INTEGRATED SERVICES FOR DIGITAL NETWORK) LINE RENTALS BY TELECOM  
NAMIBIA LIMITED**

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%

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

**Reasons for the Authority's Decision**

**Telecom Namibia Limited** (hereinafter referred to as "Telecom Namibia"), filed for the approval of amendment of tariffs for Basic Telephone and ISDN (Integrated Services for Digital Network) Line Rentals (hereinafter referred to as "the proposed tariffs") on 16 December 2013, in terms of section 53 (1) and (7) of the Communications Act No. 8 of 2009 (hereinafter referred to as "the Act").

On the 17<sup>th</sup> of February 2014, the Authority published a Notice in the Newspaper informing the public that it has published a Notice in the *Gazette* that Telecom Namibia has submitted amended tariffs for Basic Telephone and ISDN (Integrated Services for Digital Network) Line Rentals to the Authority for approval.

The proposed tariffs were published as General Notice No. 40 in the Government Gazette No. 5411 dated 17 February 2014 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 3 March 2014. 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 Namibia.

The tariff information is as follows:

**Table 1: Proposed Tariff Amendments**

Type of Service	Current Price N\$/month	Proposed Price N\$/month	Percent Increase
Residential Analogue line (within *MRA)	66.00	72.00	9.1%
Business Analogue line (within MRA)	73.00	82.00	12.3%
Residential/Analogue line (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%

- \* MRA - Main Residential Area
- \*\* ISDN - Integrated Services for Digital Network
- \*\*\* BRA - Broadband Remote Access
- \*\*\*\* MSN - Multiple Subscriber Numbering

The tariffs as proposed were compared to other tariffs in the SADC region as follows:

**Table 2: Tariffs for Line Rentals in the SADC Region**

Type of Service	Telecom Namibia proposed	South Africa	Botswana
Residential Analogue line (within *MRA)	72.00	137.72	90.00
Business Analogue line (within MRA)	82.00	189.47	120.00
Residential Analogue line (outside MRA)	103.00	137.72	90.00
**ISDN ***BRA (Main Service)	203.00	237.32	272.40
ISDN BRA (per additional ****MSN)	37.00	35.02	7.56

*All prices are excluding VAT  
1 Pula = N\$ 1.20*

A comparison of the proposed tariffs was made against South Africa and Botswana in the SADC region that have similar tariffs. No other countries in the SADC region were found to have similar tariff structures. The proposed tariffs for Telecom Namibia are still lower than those tariffs charges in South Africa and Botswana for similar services.

All requirements in terms of section 53 of the Act that deals with the approval of tariffs have been adhered to. The tariffs were published as stipulated in section 53(10) for comment and Telecom Namibia stated that the tariff would come into force on 1 March 2013 in terms of section 53(8) of the Act. All pertinent information as required by section 53(9) was submitted to the Authority such as the terms and conditions. The tariffs contained all pertinent information relating to the tariff such as costing and budget information as required by section 53(18) of the Act.

Based on the analysis and reasons advanced above, the Authority approved the proposed amendment of tariffs for Basic Telephone and ISDN (Integrated Services for Digital Network) Line Rentals as submitted by Telecom Namibia.

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## COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 78

2014

### NOTICE IN TERMS OF THE REGULATIONS REGARDING LICENSING PROCEDURES FOR TELECOMMUNICATIONS AND BROADCASTING SERVICE LICENCES AND SPEC- TRUM USE LICENCES

The Communications Regulatory Authority of Namibia, in terms of regulations 10 and 11 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, herewith gives notice that the applicant referred to in the table below, intends to permanently discontinue providing a service in accordance with its license and has submitted an application for withdrawal of licence to the Authority:

Applicant;	Applicant's Citizenship or place of incorporation;	Percentage of Stock owned by Namibian Citizens or Namibian citizens or Namibian Companies controlled by Namibian Citizens;	Radio Frequencies or group of frequencies being withdrawn;	Concise Statement of the reasons for proposed withdrawal;	Date on which licensee intends to permanently discontinue providing service;);	Proof of Licence Application Fees Paid Up to Date Submitted? Yes/No
Mobile Telecommunications Limited	Namibia	66%	25249.000 / 26257.000 MHz 25305.000 / 26313.000 MHz 25361.000 / 26369.000 MHz 25417.000 / 26425.000 MHz	The listed frequencies deliver poor Quality of Service during the rainy seasons thus the Licensee has migrated the services to 18GHz links.	21 January 2014	No

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.

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

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**COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA**

No. 79

2014

NOTICE OF AMENDMENT IN TERMS OF REGULATION 8(2) 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 8 of the "Regulations Regarding Licensing Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licence, in Government Gazette No. 4785, Notice No. 272 dated 29 August 2011,

herewith gives notice that **The Namibian Broadcasting Corporation** has applied for Amendment to its Spectrum Use Licence with the Authority as set out in Schedule 1.

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*.

**The Namibian Broadcasting Corporation** 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); and
- (4) by facsimile to the following facsimile number: +264 61 222790.
- (5) by fax to e-mail to: 0886550852

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

### SCHEDULE 1

#### PROPOSED AMENDMENT BY THE NAMIBIAN BROADCASTING CORPORATION OF ITS SPECTRUM USE LICENCE; COMMUNICATIONS ACT, 2009

#### LICENCE TO BE AMENDED: SPECTRUM USE LICENCE ISSUED TO THE NAMIBIAN BROADCASTING CORPORATION AND PUBLISHED IN GOVERNMENT GAZETTE NO. 5037, GENERAL NOTICE 306 DATED 13 SEPTEMBER 2012

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 assigned in terms of Spectrum Use Licence published in the Government Gazette;	List of radio frequencies or groups of radio frequencies applied for in respect of Application for Amendment;	Description of geographic coverage area(s)			License Fees Outstanding;
					Region;	District;	City/Town;	
Namibian Broadcasting Corporation	Namibia	100 %	186.000 MHz	202.000 MHz	Otjozondjupa	Otjiwarongo	Paresis	Yes

## SCHEDULE 2

### CONCISE STATEMENT OF THE PURPOSE OF THE PROPOSED AMENDMENT

1. During the dual Illumination process of the Digital Terrestrial Television (DTT) Migration, Paresis' current Analogue frequency of 186.000 MHz will interfere with the DTT assigned frequency at Klein Waterberg on 186.000 MHz. To avoid this interference **THE NAMIBIAN BROADCASTING CORPORATION** wishes to amend the current analog frequency for Paresis to 202.000 MHz.

### COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 80

2014

#### NOTICE IN TERMS OF THE REGULATIONS REGARDING LICENSING PROCEDURES FOR TELECOMMUNICATIONS AND BROADCASTING SERVICE LICENSES AND SPECTRUM USE LICENSES

The Communications Regulatory Authority of Namibia, in terms of section 101 of the Communications Act (No 8 of 2009) and regulations 6 and 11 of the "Regulations Regarding Licensing Procedures for Telecommunications and Broadcasting Service Licenses and Spectrum Use Licenses", published in Government Gazette No. 4785, Notice No. 272, dated 29 August 2011, herewith gives notice of the following person who is assigned the following licence effective from date of publication in the *Gazette*.

Licensee;	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 being applied for;	List of radio frequencies assigned;	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;			
Namibian Broadcasting Corporation	Namibia	100 %	88– 108 MHz	96.1 MHz Rukavango	Karas	Keetmanshoop	Keetmanshoop	Yes	N/A <sup>1</sup>	Own
				106.5 MHz Lozi						
				102.9 MHz Setswana						
				99.4 MHz San						
				90.2 MHz Rukavango	Hardap	Mariental	Mariental			
				99.8 MHz Lozi						
				93.3 MHz Setswana						
				106.9 MHz San						

<sup>1</sup> The radio frequencies applied for require a broadcasting service licence. Note however, that as per section 93 of the Act, until a date determined by the minister, Chapter IV on broadcasting services is not applicable to the NBC or to any broadcasting activities carried on by the NBC.

				91.2 MHz Oshiwambo	Hardap	Stampriet	Stampriet					
				94.4 MHz Otjiherero								
				97.7 MHz Ruka- vango								
				104.8 MHz Lozi								
				99.3 MHz Setswana								
				103.2 MHz San								
				90.0 MHz National	Hardap	Rehoboth	Schlip					
				93.1 MHz Oshiwambo								
				99.6 MHz Otjiherero								
				106.7 MHz Damara>Nama								
				95.3 MHz Akrikaans								
				103.9 MHz Ger- man								
				91.9 MHz National	Kunene	Kamanjab	Kamanjab					
				95.1 MHz Oshi- wambo								
				98.4 MHz Otji- herero								
				101.9 MHz Ger- man								
				93.8 MHz Ruka- vango								
				107.9MHz Lozi								
				103.7 MHz Tswana								
				105.5 MHz San								

The licence is issued 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.

**The reasons for the decision are as follows:**

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 5343, Notice No 435, dated 14 November 2013, allowing fourteen (14) days for public comment. Public comments were received within the stipulated time period from Mr Jan Kruger as summarized herein. All comments were forwarded to the Namibian Broadcasting Corporation to respond with reply comments as per regulation 11(3) of the Regulations regarding Licensing Procedures for Broadcasting and Telecommunications Service Licences and Spectrum Use Licences within a period of fourteen (14) days from receipt of a written request from the Authority.

Section 101(6) of the Act requires the issuance of a spectrum use licence to an applicant, should the offering of envisaged service requires spectrum in the appropriate spectrum band. The Authority therefore repeated it's analysis of frequencies to be assigned based on the technical specifications of the Starpoint combiners submitted by the Namibian Broadcasting Corporation on 19 November 2013 taking into account the comments and reply comments from Mr Kruger and the ICT Consultants (Pty) Ltd. The Authority therefore approved that the Namibian Broadcasting Corporation be issued with a spectrum use licences for Keetmanshoop, Mariental, Stampriet, Rehoboth/Schlip and Kamanjab for FM Broadcasting services as contained in the table above.

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

**COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA**

No. 81

2014

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

The Communications Regulatory Authority of Namibia, in terms of section 101 of the Communications Act (No 8 of 2009) and regulations 6 and 11 of the “Regulations Regarding Licensing Procedures for Telecommunications and Broadcasting Service Licenses and Spectrum Use Licenses”, published in Government Gazette No. 4785, Notice No. 272, dated 29 August 2011, herewith gives notice of the following person who is assigned the following licence effective from date of publication in the *Gazette*.



Radio Frequencies or group of frequencies assigned																
Licensee;	Licensees Citizenship or place of incorpora- tion;	Percent- age of Stock owned by Namibian Citi-zens or Namibian citi-zens or Namibian Compa- nies con- trolled by Namibian Citi-zens;	Services intended to be provided using the spectrum being applied for of (type of Service licence);	Appli- cation Fees Paid Up to Date? Yes/No;	Descrip- tion of Geo- graphic coverage area(s);	Site Name;	Lat- i- tude;	Long- i- tude;	Mult- i- plex Number;	Radio Fre- quencies or group of fre- quen- cies applied for;	Channel Number;	TX Power (W);	Antenna Peak Gain (dBd);	Polariza- tion;	An- tenna Height (m);	Region;
Namibian Broadcast- ing Corpora- tion	Namibia	100	The radio frequencies assigned require a broadcasting service licence. Note however, that as per sec- tion 93 of the Act, until a date determined by the minister, Chapter IV on broadcasting services is not applicable to the NBC or to any broadcasting activities carried on by the NBC.	No	Impalila	Im- palila	17 46 46.7 S	25 12 54.0 E	1	610	38	100	20	7.5 Horizontal	30	Zambezi

The licence is issued 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.

**The reasons for the decision are as follows:**

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 5354, Notice No 465, dated 2 December 2013, allowing fourteen (14) days for public comment. No comments were received within the stated timeframe and subsequently no reply comments were requested from the Namibian Broadcasting Corporation.

The spectrum use application submitted by the Namibian Broadcasting Corporation is fully compliant with the Regulations Setting Out the Frequency Band Plan of Namibia as published in Government Gazette No. 5214, General Notice No. 191 dated 31 May 2013. The spectrum applied for in respect of Impalila is listed as layer one in the aforementioned Regulations.

Section 101(6) requires the issuance of a spectrum use licence to an applicant, should the offering of envisaged service requires spectrum in the appropriate spectrum band. The Authority has made provisions for assignment of frequencies in the Digital Terrestrial Television Frequency Plan as published in Government Gazette No. 5201, General Notice No. 166 dated 29 May 2013.

The Authority therefore, approved that the Namibian Broadcasting Corporation be issued with a spectrum use licence to utilize 610 MHz for providing digital terrestrial television services at Impalila with a power output of 100W. This frequency forms part of layer 1 of the digital terrestrial frequency-channelling plan published by the Authority.

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

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**COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA**

No. 82

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 5, 6 and 11 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 that the Applicant referred to in the table below have submitted the following applications to the Authority:

**(a) Broadcasting 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?
Nafish Trading CC t/a Amesho FM	Namibian	100%	Commercial Broadcasting Service License	Own	Yes, application is contained in part (b) below.	Yes

**(b) Spectrum Use Licence Application**

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)			Maximum Output power & Coordinates;	License Fees Outstanding;	Service to be provided using frequency applied for;	Party providing Signal Distribution;
					Region;	District;	City/Town;				
Nafish Trading CC t/a Amesho FM	Namibia	100 %	88– 108 MHz	102.000 MHz	Oshana	Oshakati	Oshakati	250.000 W	No	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 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 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;
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- (3) By electronic mail to the following address: legal@cran.na;
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**L.N. JACOBS**  
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