



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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General Notices

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 125

2014

NOTICE OF AMENDMENT IN TERMS OF REGULATION 8 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 Authority has granted the following Amendment to the Spectrum Use Licence awarded to **NAMDEB Diamond Corporation (Pty) Ltd** on 06 June 2013 as published in **Government Gazette No. 5219, General Notice 195** which amendment will be in force and effective from the date of publication of this Notice in the Government Gazette:

**LICENCE TO BE AMENDED:
SPECTRUM USE LICENCE ISSUED TO NAMDEB DIAMOND CORPORATION (PTY)
LTD AND PUBLISHED IN GOVERNMENT GAZETTE NO. 5219,
GENERAL NOTICE 195 DATED 06 JUNE 2013**

Licensee's Name;	Licen-see'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 assigned in respect of the Application for Amendment;	Description of geographic coverage area(s)			License Fees Outstanding;	Service to be provided using frequency as amended;	Party providing Signal Distribution;
					Re-gion;	Dis-trict;	City/ Town;			
NAMDEB Diamond Corporation (PTY) LTD	Namibia	100 %	8349.00 MHz 8475.00 MHz 14907.00 MHz 15523.00 MHz	8010.00 MHz 8276.00 MHz 18195.00 MHz 19205.00 MHz	Karas	Oranje-mund	Within the Operational Borders of the Applicant's mine	Yes	FIXED	Own

REASONS FOR THE AUTHORITY'S DECISION

Namdeb Diamond Corporation (Pty) Ltd submitted an application for amendment of their spectrum use licences for 8349.000 MHz and 8475.000 MHz to be increased from a bandwidth of 7 MHz to 28 MHz and their spectrum use licences for 14 907.000 MHz and 15 523.000 MHz with a 7 MHz bandwidth to be re-assigned in the 18 GHz spectrum band with a bandwidth of 28 MHz to be utilised for fixed tetra UHF and microwave links including all relevant documentation to the Authority on 24 July 2013. The Amendment was sought in terms of Regulation 8 of the Regulations regarding Licensing Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences published in Government Gazette No. 4785, General Notice No. 272 dated 29 August 2011 as amended.

Namdeb Diamond Corporation (Pty) Ltd was issued with spectrum use licences on 6 June 2013 as published in Government Gazette No. 5219, Notice No. 196 for 8349.000 MHz and 8475.000 MHz and 14 907.000 MHz and 15 523.000 MHz respectively with a bandwidth of 7 MHz.

Subsequently, Namdeb Diamond Corporation (Pty) Ltd submitted an application for the amendment of their spectrum use licences from a 7 MHz bandwidth to 28 MHz bandwidth in terms of Regulation 8 the Regulations Regarding Licencing Procedure for Telecommunications and Broadcasting Service Licences and Spectrum Use Licenses.

In terms of the Amendment application submitted to the Authority by Namdeb Diamond Corporation (Pty) Ltd, the purpose of the amendment is to increase spectrum bandwidth in order to increase capacity on its Tetra network to accommodate usage generated by the various departments within the organization and to meet capacity requirement to sustain the operation of their internal data networks.

The increase in bandwidth capacity from 7 MHz to 28 MHz requested by Namdeb Diamond Corporation (Pty) Ltd necessitated the Authority to amend the initial spectrum use licences and assign different frequencies as opposed to those that were issued on 6 June 2013.

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 5343, General Notice No 430, dated 14 November 2013, allowing fourteen (14) days for public comments from date of publication of the notice in the Gazette. No comments were received within the stated timeframe and subsequently no reply comments were required from Namdeb Diamond Corporation (Pty) Ltd.

The spectrum use licences issued to Namdeb Diamond Corporation (Pty) Ltd is restricted to the geographical area within the operational borders of its mining operations. The applicant requested an amendment to meet capacity requirements that would sustain the operation of their internal data networks.

Namdeb Diamond Corporation (Pty) Ltd was awarded spectrum use licences with a bandwidth of 7 MHz for 8349.000 MHz/8475.000 MHz and 14907.000 MHz/15523.000 MHz respectively as published in Government Gazette No. 5219, Notice No.196 dated 6 June 2013. Namdeb Diamond Corporation (Pty) Ltd requested an increase in bandwidth capacity from 7 MHz to 28 MHz to expand their backhaul capacity as detailed in the amendment application forms and supporting documentation submitted to the Authority.

Analysis of current spectrum use licences issued indicated that allowing an increase in bandwidth from 7 MHz to 28 MHz on the same frequencies issued to Namdeb Diamond Corporation (Pty) Ltd in 6 June 2013 will result in interference with existing spectrum use licensees utilizing the same spectrum band on a national basis. This necessitates the Authority to amend the spectrum assigned to Namdeb Diamond Corporation (Pty) Ltd to prevent possible interference as indicated below-

- (a) Amend 8349.000 MHz/ 8475.000 MHz (7 MHz bandwidth) to 8010.000 MHz/8276.000 MHz (28 MHz bandwidth); and
- (b) Amend 14907.000 MHz/15523.000 MHz (7 MHz bandwidth) to 18195.000 MHz/19205.000 MHz (28 MHz bandwidth).

The Authority is unable to assign additional bandwidth in the 14000 to 15000 MHz due to scarcity of spectrum resources.

Namdeb Diamond Corporation (Pty) Ltd is in good standing with the Authority with no outstanding spectrum fees for 2014.

In light of the above and in terms of section 101(13) of the Communications Act and the Regulations Regarding Licensing Procedures for Telecommunications and Broadcasting Service Licenses and Spectrum Use Licenses, the Authority approved the Amendment of the Spectrum Use Licence issued to Namdeb Diamond Corporation (Pty) Ltd as follows –

- (a) Amend 8349.000 MHz/ 8475.000 MHz (7 MHz bandwidth) to 8010.000 MHz/8276.000 MHz (28 MHz bandwidth) within the operating borders of Namdeb Diamond Corporation (Pty) Ltd 's mine;
- (b) Amend 14907.000 MHz/15523.000 MHz (7 MHz bandwidth) to 18195.000 MHz/19205.000 MHz (28 MHz bandwidth) within the operating borders of Namdeb Diamond Corporation (Pty) Ltd's mine;

The amended licence is issued subject to the Communications Act, 2009 and Regulations Setting Out Conditions for Spectrum Use Licences as published in Government Gazette No. 5354, Notice No. 469 dated 2 December 2013.

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

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 126

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, herewith gives notice that the persons referred to in the table below, submitted application for the following to the Authority:

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?
Hype Radio CC	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, 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**

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 127

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, 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			
Hype Radio CC	Namibia	100 %	88– 108 MHz	92.900 MHz	Oshana	Oshakati	Oshakati	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 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;
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**L.N. JACOBS
CHAIR PERSON OF THE BOARD
COMMUNICATIONS REGULATORY AUTHORITY**

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 128

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 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;
- (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 FIXED BROADBAND DATA ONLY (SPEEDLINK) PACKAGES BY
TELECOM NAMIBIA LIMITED:
COMMUNICATIONS ACT, 2009****Speedlink Data only (Home and Business)**

Package	512k	1024k	2048k	3072k	4096k	6144k	8192k	10240k
Downlink Speed	512k	1024k	2048k	3072k	4096k	6144k	8192k	10240k
Uplink Speed	256k	512k	1024k	1536k	2048k	2048k	2048k	2048k
Monthly Charge (N\$) (12-month)-Standard	349	499	615	715	1,115	1,869	3,869	4,869
Monthly Charge (N\$) (24-month) - Standard	329	449	579	679	935	1,635	3,579	4,535
Monthly Charge (N\$) (36-month) - Standard	266	419	555	655	855	1,505	3,405	4,355

Note: Installation charges of **N\$ 222-00** within minimum rental area and **N\$ 333-00** outside minimum rental area will be applied.

Speedlink Professional Data only

Package	1024k	2048k	4096k	6144k	8192k	10240k
Downlink Speed	1024k	2048k	4096k	6144k	8192k	10240k
Uplink Speed	512k	1024k	2048k	2048k	2048k	2048k
Monthly Charge (N\$) (12-month) - Standard	1,649	1,745	2,159	3,175	4,739	5,465
Monthly Charge (N\$) (24-month) - Standard	1,349	1,479	1,999	3,029	4,679	5,309
Monthly Charge (N\$) (36-month) - Standard	1,269	1,399	1,905	2,705	4,425	5,205

Note: Installation charges of **N\$222-00** within minimum rental area and **N\$333-00** outside minimum rental area.

The following principles will apply to Fixed Broadband Data only (Speedlink) Packages:

1. Pricing are the same for home and business customers;
2. Operators will be offered 15% discount on retail pricing;
3. CPE is excluded and will be charged for separately (customers will have the option to rent or purchase the CPE of their choice).

General

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

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 129

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 person referred to in the table below has submitted spectrum use licence applications 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;	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;			
Namibian Broadcasting Corporation	Established in terms of section 2 of the Namibian Broadcasting Act (Act No 9 of 1991)	State Owned Enterprise	88 – 108 MHz	Silozi 87.8 MHz	Ohangwena	Eenhana	Eenhana Transmitter Station S17°34'15.5" E16°31'38.1"	Yes	The radio frequencies assigned 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.	Own
				Afrikaans 89.6 MHz						
				National 92.7 MHz						
				Setswana 94.1 MHz						
				Rukavango 95.9 MHz						
				German 100.6 MHz						
				!Na 102.7 MHz						
				Oshiwambo 104.0 MHz						
				Damara/ Nama 106.3 MHz						
				Herero 107.4 MHz						
				!Na 91.2 MHz	Otjozondjupa	Otjiwarongo	Klein Waterberg S20°41'11" E17°3'49"			
				Setswana 94.4 MHz						
				Silozi 101.2 Mhz						
				Rukavango 104.8						
				Rukavango 92.3 MHz	Otjozondjupa	Grootfontein	Signalberg S19°34'27" E17°42'39"			
				Silozi 95.5 MHz						
Setswana 98.8 MHz										
!Na 102.3 MHz										

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.

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