



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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CONTENTS

Page

GENERAL NOTICES

No. 357	Communications Regulatory Authority of Namibia: Notice in terms of Sections 31 of the Communications Act, 2009 (Act No. 8 of 2009) and Regulation 19(1) Regarding Licensing Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences	2
No. 358	Communications Regulatory Authority of Namibia: Notice in terms of Regulations 6 and 11 of the Regulations Regarding Licensing Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences	5
No. 359	Communications Regulatory Authority of Namibia: 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	8
No. 360	Communications Regulatory Authority of Namibia: Notice in terms of the Regulations Regarding the Submissions of Interconnection Agreements and Tariffs	9
No. 361	Communications Regulatory Authority of Namibia: Notice in terms of the Regulations Regarding the Submissions of Interconnection Agreements and Tariffs	11
No. 362	Communications Regulatory Authority of Namibia: Notice in terms of the Regulations Regarding the Submissions of Interconnection Agreements and Tariffs	12
No. 363	Communications Regulatory Authority of Namibia: Notice in terms of Section 38 of the Communications Act, 2009 (Act No. 8 of 2009) and Regulations 4, 6 and 11 of the Regulations Regarding Licensing Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences	13
No. 364	Communications Regulatory Authority of Namibia: Notice in terms of the Regulations Regarding Licensing Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences	14

General Notices

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 357

2015

NOTICE IN TERMS OF SECTIONS 31 OF THE COMMUNICATIONS ACT, 2009
(ACT NO. 8 OF 2009) AND REGULATION 19(1) REGARDING LICENSING PROCEDURES
FOR TELECOMMUNICATIONS AND BROADCASTING SERVICE LICENCES AND
SPECTRUM USE LICENCES

The Communications Regulatory Authority of Namibia, in terms of section 31 of the Communications Act, 2009 (Act No. 8 of 2009) read with regulation 19(1) 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 reconsideration for **Digital Satellite Television (Pty) Ltd** (hereinafter referred to as “Digisat”) Limited has been declined.

THE FOLLOWING ARE THE REASONS FOR THE DECISION:

Digital Satellite Television (Pty) Ltd (hereinafter referred to as “Digisat”), submitted an application for broadcasting service licence to the Namibian Communications Commission (NCC) prior to the commencement of the Communications Act, 2009 (Act No. 8 of 2009). Digisat further submitted an application for a broadcasting service licence for approval to the Authority on 13 March 2013 in terms of section 135(11) of the Communications Act. The Authority published its final decision to decline the application for a commercial broadcasting service licence and spectrum use licence submitted by Digisat in Government Gazette No. 5667, General Notice No. 33 dated 11 February 2015. The Applicant submitted an application for reconsideration to the Authority on 24 January 2015 in terms of section 31 of the Communications Act, 2009.

SUBSTANTIVE ISSUES DURING THE INITIAL APPLICATION

During the initial consideration of the application, the Authority took into account a number of concerns as indicated below-

- i. That the application submitted to the Authority on 15 March 2013 states that Digisat is owned wholly by the Mbok Family Trust. The Deed of Trust as submitted by Mr. Antoine Mbok to the Authority indicates that five of Mr. Mbok’s children are the beneficiaries. However, the Authority obtained a certified copy of the Trust Deed from the Office of the Master, which reflects that four of Mr. Mbok’s children are the beneficiaries of the Mbok Family Trust. The critical question that the Authority had to consider in ascertaining compliance with the provisions of section 85(2)(b), is whether the shareholding in Digisat is beneficially owned by Namibian citizen(s) and not controlled directly or indirectly by persons who are not Namibian citizens i.e. whether Mr. Mbok (a Cameroonian national) controls (directly or indirectly) the company in question;
- ii. As indicated above, the facts revealed that Digisat is a wholly-owned subsidiary of the Mbok Family Trust. However, since the trust was incorporated in Namibia, the Authority had to ascertain whether the trust owns the shares for its own benefit or whether the benefit in the shareholding is enjoyed by other persons. This is referred to as the conduit principle;
- iii. The Authority had to contemplate whether or not Digisat is controlled (directly or indirectly) by foreign nationals. In ascertaining this, the Authority was of the view that neither the Communications Act nor the Companies Act contained a definition of control. However,

after an assessment of the word, it revealed that control pertained two elements: that of effective and manage;

- iv. The Authority further considered whether or not Digisat had a place of business or registered office in Namibia. The Authority was able to deduce that although Digisat had a place of business in Namibia, it has changed its correspondence a number of times;
- v. The character of Mr. Antoine Mbok was taken into consideration. The Authority came across several newspaper articles as well as a consumer complaint lodged with the Authority whereby he was accused of decoder scam and fraud. The Authority however could not pronounce itself on the character of Mr. Mbok and could therefore not invoke section 85(8) (a) of the Communications Act, in that investigations were still pending; and
- vi. The fact that Digisat was already providing service without being issued a licence.

Factors and relevant facts considered in the initial application

When considering the award of a broadcasting service licence, the Authority is obliged to consider the following provisions of section 85(8) of the Communications Act-

- “(8) *When considering an application for the issue of a broadcasting licence the Authority must have regard to-*
- (a) *The character of the applicant or, if the application is a body corporate, the character of the directors;*
- (b) *the adequacy of the expertise, experience and financial resources available to the applicant;*
- (c) *the desirability or otherwise of allowing any person or association of persons, to have control of or a substantial interest in-*
 - (i) *more than one broadcasting service;*
 - (ii) *more than one radio station and one television station and one registered newspaper with a common coverage area and distribution area or significantly overlapping coverage and distribution areas;*
- (d) *whether the applicant is likely to comply with such technical broadcasting standards as the Authority may prescribe;*
- (e) *whether the conditions of a broadcasting licence will unjustly benefit one licensee above another;*
- (f) *the allocations of spectrum resources in such a manner as to ensure the widest possible diversity of programming and the optimal utilisation of such resources: Provided that priority may be given to broadcasters transmitting the maximum number of hours per day;*
- (g) *the reservation of radio wave spectrum resources for the future; and*
- (h) *the desirability of giving priority to community based broadcasts.”*

After due consideration of the above captioned matters, the Board of Directors declined the application for a commercial broadcasting service licence and spectrum use licence submitted by the Applicant. The Board of Directors was of the opinion that the Applicant did not comply with section 85(2)(b) of the Act in that-

The Applicant is owned and controlled by a Cameroonian national, which contradicts with the provisions of 85(2)(b):

- “(2) *Subject to subsection (3) and (4), the Authority may issue a broadcasting licence only to –*
- (b) *a juristic person of which at least 51 percent of the shareholding is beneficially owned by Namibian citizens and which is not controlled*

directly or indirectly by persons who are not Namibian citizens and which has its principal place of business or registered office in Namibia.”

APPLICATION FOR RECONSIDERATION

BACKGROUND

On 22 January 2015, the Authority notified Digisat of its decision to decline the application for service licence as submitted by Digisat on 13 March 2013. The Authority published its final decision to decline the application for a commercial broadcasting service licence submitted by Digisat in Government Gazette No. 5667, General Notice No. 33 dated 11 February 2015.

The Applicant submitted an application for reconsideration to the Authority on 24 January 2015 in terms of section 31 of the Communications Act, 2009. The Authority published the notice of reconsideration in respect thereof in Government Gazette No. 5725, General Notice No. 165 dated 5 May 2015 for public comments. The said comments lapsed on 19 May 2015 and no public comments were received herein.

In terms of section 31 of the Communications Act, the Authority was supposed to have made its decision herein on 22 April 2015. Same however did not take place as the Authority was considering the application. The Authority however wrote Digisat in a letter dated 16 June 2015, wherein it postponed the date of decision to 30 June 2015.

GROUNDS FOR RECONSIDERATION

The Applicant's grounds for reconsideration are as follows:

- a) Mr. Antoine Mbok, the Director of the Applicant is a Namibian Citizen by virtue of Article 4(3)(aa)(cc) of the Namibian Constitution; and
- b) That Mr. Mbok has administratively complied with the Ministry of Home Affairs and Immigration file Number: 131413-893/06.

SUBSTANTIVE ISSUES ON RECONSIDERATION

Based on the new facts presented, the Applicant alleges that its Director, Mr. Mbok is a Namibian citizen. However, no documentary proof has been submitted in respect of both grounds to the Authority to substantiate this fact. The Authority further notes that in its application to the Authority, Applicant also listed Mr. Mbok as a Cameroonian citizen. Please find attached hereto marked as Annexure.

The Authority therefore, remains of the view that Digisat is controlled by Mr. Mbok, a foreign national. The Authority further follows the reasoning in the case of ITC 388 that the Mbok Family Trust controls Digisat by virtue of the trust being the sole shareholder of Digisat. The Authority is of the further view that a trust acts through its trustees and if Mr. Mbok is the only Trustee then he effectively and indirectly controls the affairs of Digisat.

In the premise, the Authority is of the view that no new facts have been presented by Applicant and the Authority hereby upholds its earlier decision as communicated to the Applicant. The Applicant must be informed of his right to take the decision on review before a Court of Competent jurisdiction within 6 months from date on which he is made aware of the decision.

DECISION

In terms of section 31 of the Act and the Regulations regarding Licensing Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences it is herewith decided-

- i. That the resolution passed by the Board of Directors at its ordinary meeting held on 3 December 2014 is herewith upheld in the light of the consideration of the revised information submitted on 24 January 2015 with the application for reconsideration and evaluation thereof based on the criteria as set out in Section 85 (2)(b) of the Communications Act, 2009 not to award a commercial broadcasting service licence and a spectrum use licence to Digital Satellite Television (Pty) Ltd.

L.N. JACOBS
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 358

2015

**NOTICE IN TERMS OF REGULATIONS 6 AND 11 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 section 101 and regulation 6 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 (as amended), herewith gives notice that the **Namibian Broadcasting Corporation** has submitted an application for a spectrum use licence as follows:

Licensee's Name;	Licensee's citizenship or place of incorporation;	Percentage of Stock owned by Namibian Citizens or Namibian Companies controlled by Namibian Citizens;	List of radio frequencies applied for by applicant;	List of radio frequencies or groups of radio frequencies considered for assignment;	Description of geographic coverage area(s)			License Fees Outstanding;
					Region;	Dis-trict;	City/ Town;	
Namibian Broadcasting Corporation	Established in terms of section 2 of the Namibian Broadcasting Act (Act No 9 of 1991)	State Owned Enterprise	202 MHz (Temporary Frequency for Gobabis)	202.000 MHz	Omaheke	Gobabis	Gobabis	No

Due to the fact that the frequency will be awarded on a temporary basis for a period of twelve (12) months, the Authority in addition to the Regulations Setting Out Spectrum Use Licence Conditions wishes to impose additional conditions on this licence as contained in Schedule 1 to this notice.

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: 088642748.

L.N. JACOBS
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

SCHEDULE 1

1. BASIS FOR AWARD OF A TEMPORARY SPECTRUM USE LICENCE

- 1.1 The preamble of the Communications Act, 2009 (Act No. 8 of 2009) mandates the Authority to regulate telecommunication services and networks, broadcasting services, postal services and the use and allocation of radio spectrum.
- 1.2 Section 99 (2) and (3) provides as follows-
 - “(2) *In controlling, planning, administering, managing and licensing the use of the radio frequency spectrum, the Authority must comply with the applicable standards and requirements of the International Telecommunications Union and its Radio Regulations, as agreed to or adopted by Namibia.*
 - (3) *The Authority must honour present and future commitments of Namibia in terms of international agreements and standards in respect of radio communications and telecommunication matters.*”
- 1.3 Namibia is a signatory to the GE06 agreement requiring the migration from analogue to digital terrestrial television services by the international deadline of 17 June 2015.
- 1.4 The Authority published the Regulations Setting Out the Frequency Channeling Plan for Digital Terrestrial Television in Government Gazette No. 5201, Notice No. 166 dated 29 May 2013.
- 1.5 The aforementioned regulations contains four (4) UHF frequencies for the geographical area of Gobabis which have been coordinated with Botswana in accordance with the GE06 agreement and approved by the ITU for inclusion in Namibia’s Digital Terrestrial Television Frequency Channeling Plan.
- 1.6 The Authority awarded the Namibian Broadcasting Corporation with a spectrum use licence for the UHF frequency 650 MHz as published in Government Gazette No. 5486, Notice No. 161 date 19 June 2014 for digital terrestrial television services in the geographical area of Gobabis.
- 1.7 The Namibia Broadcasting Corporation has to replace the existing analogue television broadcasting equipment with UHF broadcasting equipment to adhere to regulations and the UHF spectrum use licence as awarded by the Authority.

2. TERMS AND CONDITIONS OF THE TEMPORARY SPECTRUM USE LICENCE

Utilisation of the temporary spectrum use licence is subject to the following terms and conditions-

- 2.1 The Authority herewith intends to grant the Namibian Broadcasting Corporation the right to use the VHF frequency 202 MHz for a period on twelve (12) months to provide digital terrestrial television services in the geographical area of Gobabis.
- 2.2 The right to use the temporary spectrum use licence awarded terminates automatically at 24h00 on the last day of the twelve (12) month period and is non-renewable.
- 2.3 The Namibian Broadcasting Corporation must install UHF broadcasting equipment for the provisioning of digital terrestrial television services within twelve (12) months from the effective date of publication of this temporary spectrum use licence.
- 2.4 The Namibian Broadcasting Corporation must on or before the last day of the said twelve (12) month period switch over to the UHF frequency 650MHz as awarded by the Authority on 19 June 2014 and published in Government Gazette No. 5486, Notice No. 161 in adherence to the Act, the Regulations Setting Out the Frequency Channeling Plan for Digital Terrestrial Television in Government Gazette No. 5201, Notice No. 166 dated 29 May 2013, spectrum use licence published in Government Gazette No. 5486, Notice No. 161 dated 19 June 2014 and the decline of the application for reconsideration submitted by the Namibian Broadcasting Corporation as published in Government Gazette No. 5683, Notice No. 101 dated 2 March 2015.
- 2.5 The use of spectrum must not cause interference to any user in Namibia or the neighboring country of Botswana. The Namibian Broadcasting Corporation will switch off its transmitter with immediate effect should any interference be reported to the Authority.
- 2.6 The Namibian Broadcasting Corporation will remove all VHF television broadcasting equipment after installation of the required UHF broadcasting equipment for digital terrestrial television services.

3. SPECIFIC EXCLUSIONS

- 3.1 This temporary spectrum use licence shall not be considered to be an amendment of the Regulations Setting Out the Frequency Channeling Plan for Digital Terrestrial Television plan, the issuance of a spectrum use licence after the twelve (12) month period or to allow for the utilisation of broadcasting spectrum for broadcasting services except as set out in these conditions.
 - 3.2 The Authority will not amend the Regulations Setting Out the Frequency Channeling Plan for Digital Terrestrial Television at the end of the twelve (12) month period to allow of the inclusion of a VHF frequency within the geographical area of Gobabis or entertain any submissions or presentations to this effect.
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COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 359

2015

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 Sections 101 of the Communications Act, 2009 (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, herewith gives notice that **YFI Technologies Namibia (Pty) Ltd**, has been awarded with a Spectrum Use Licence as contained in the table below. Notwithstanding date of publication, this licence was awarded on 5 March 2014:

Spectrum Use Licence Applications

Licensee	Licensees 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
					Region	District	City/Town		
YFI Technologies Namibia (Pty) Ltd	Namibia	100 %	MHz Uplink 14339 - 14357 / Downlink 11055 MHz	MHz Uplink 14348 MHz / Downlink 11055 MHz	Namibia	Namibia	Namibia	Yes	Fixed-Satellite

REASONS FOR THE DECISION ARE AS FOLLOWS:

Application for Spectrum Use Licence

In accordance with section 101 of the Communications Act (Act No. 8 of 2009) (hereinafter referred to as the “Act”) and the 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 of 29 August 2011, YFI Technologies Namibia (Pty) Ltd submitted an application for a spectrum use licence for telecommunications services to the Authority on 5 September 2013 for consideration.

YFI Technologies Namibia (Pty) Ltd was issued with a Class Comprehensive ECS & ECNS telecommunication service licence by the Authority in terms of section 38 of the Act, as published in Government Gazette No. 4946, General Notice No. 121 dated 15 May 2012. To date YFI Technologies Namibia (Pty) Ltd has offered commercial services utilizing the 2.4 GHz spectrum licence exempt spectrum band.

In compliance with section 101 of the Act and Regulations Regarding Licensing Procedure for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences, YFI Technologies Namibia (Pty) Ltd submitted a spectrum use license application between 14339 and 14357 MHz uplink and 11055 MHz downlink to offer fixed satellite services.

As per the technical information submitted by YFI Technologies Namibia (Pty) Ltd will be offering broadband internet services in rural areas by installing a satellite modem and 1m KU antenna at the customer's premises and utilizing the NewDawn satellite owned by Intelsat to provide services. All equipment specifications, ICASA Type Approval Certificates and network diagrams were submitted with the application forms.

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 respect of the application submitted by YFI Technologies Namibia (Pty) Ltd in the Government Gazette No. 5354, General Notice No. 471, dated 2 December 2013, allowing fourteen (14) days for public comments from the date of publication of the Notice in the *Gazette*. No public comments were received and subsequently no reply comments were requested from YFI Technologies (Pty) Ltd.

Substantive Compliance

YFI Technologies Namibia (Pty) Ltd has been issued with a Class Comprehensive ECS&ECNS licence in 2012 and is in good standing with the Authority with no outstanding fees. To date YFI technologies Namibia (Pty) Ltd has been offering telecommunications services in the spectrum use licence exempt spectrum and will now expand their services into rural areas utilizing spectrum for fixed satellite services to offer broadband internet services.

The spectrum use application submitted by YFI Technologies Namibia (Pty) Ltd is fully compliant with the Regulations Setting Out the Frequency Band Plan on Namibia as published in Government Gazette No. 5214, General Notice No. 191 dated 31 May 2013.

Section 101(6) requires the issuance of a spectrum use licence to an applicant, should the offering of envisaged service require spectrum in the appropriate spectrum band. The Authority is of the opinion that there is no shortage of available spectrum in the spectrum band applied for and that YFI Technologies Namibia complied with all technical requirements set by the Authority.

The Authority therefore, approved the application for a spectrum use licence for 14348.000 MHz uplink and 11055.000 MHz downlink with a bandwidth of 512 Kbs to YFI Technologies Namibia (Pty) Ltd to offer fixed satellite services within the borders of the Republic of Namibia. Furthermore, the Licence was issued subject to the Communications Act and Regulations Setting Out Conditions for Spectrum Use Licences as published in the Government Gazette No. 5354, Notice No. 469 dated 2 December 2013.

L.N. JACOBS

CHAIRPERSON OF THE BOARD OF DIRECTORS

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 360

2015

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, 2009 (Act No. 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.

L.N. JACOBS
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

SCHEDULE 1

SUBMISSION OF PROPOSED TARIFFS IN TERMS OF SECTION 53(7) BY PARATUS TELECOMMUNICATIONS (PTY) LIMITED COMMUNICATIONS ACT, 2009

The following are the proposed tariffs relating to the 4G Broadband (Wi-Max) packages as submitted by Paratus Telecommunications (Pty) Limited:

BUSINESS BROADBAND OPTIONS				
Product	Bandwidth Speeds	CAP	Monthly Fee	Reseller Monthly Fee
Entry Level	Up to: 4Mbps DOWN / 2Mbps UP	15GB	NAD 299.00	NAD 270.00
Soho	Up to: 4Mbps DOWN / 2Mbps UP	30GB	NAD 550.00	NAD 500.00
Professional	Up to: 4Mbps DOWN / 2Mbps UP	50GB	NAD 999.00	NAD 910.00
Business	Up to: 4Mbps DOWN / 2Mbps UP	100GB	NAD 1,950.00	NAD 1,680.00

1. Pricing based on a 24 months contract and EXCLUDES 15% VAT.
2. Bandwidth Speeds listed indicate maximum transmission speed.

3. Recharge bandwidth at N\$80.00 per Gig.
4. Standard Terms and Conditions Apply.
5. Pricing excludes once-off installation costs.
6. All prices quoted exclude VAT.

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 361

2015

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

The Communications Regulatory Authority of Namibia, in terms of sections 53(10) of the Communications Act, 2009 (Act No. 8 of 2009) read with regulation 8(1) of the “Regulations Regarding the Submission of Interconnection Agreements and Tariffs”, in Government Gazette No. 4714, General 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 hereto for approval.

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.

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- (3) by electronic mail to the following address: legal@cran.na; and
- (4) by facsimile to the following facsimile number: +264 61 222790.
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L.N. JACOBS
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

SCHEDULE 1

1. Basic telephone line and ISDN rental charges

Type of Service	Current Price	Proposed Price	% Increase
Residential Basic Line (Within MRA)	79.00	85.00	7.6%
Business Basic Line (Within MRA)	95.00	103.00	8.4%
Residential and Business Basic Line (Outside MRA)	109.00	117.00	7.3%
ISDN BRA (Main Service)	222.00	239.00	7.7%
ISDN BRA (per additional MSN)	39.00	42.00	7.7%
ISDN Primary Rate Access (30B+D)	2,829.00	3,049.00	7.8%

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 362

2015

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

The Communications Regulatory Authority of Namibia, in terms of sections 53(10) of the Communications Act, 2009 (Act No. 8 of 2009) read with regulation 8(1) of the “Regulations Regarding the Submission of Interconnection Agreements and Tariffs”, in Government Gazette No. 4714, General 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 hereto for approval.

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.

**L.N. JACOBS
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA**

SCHEDULE 1

1. Talk International SOHO and SE

International Destination	Current Weighted Average Rate N\$ Per Minute/Per Group	Out of Bundle N\$ Per Minute	Package 1	Package 2
Group 1 RSA ANGOLA BOTSWANA ZAMBIA Fixed and Mobile	2.10	1.99	Free minutes Limited to 150 P/month during peak or off-peak time	Free minutes Limited to 200 P/month during peak or off-peak time
Group 2 GERMANY, UK, USA SPAIN & CHINA Fixed and Mobile	3.29	2.99		
Monthly Charge (No Contract)			N\$305.00	N\$405.00

All charges are VAT Excl. unless stated otherwise.

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 363

2015

NOTICE IN TERMS OF SECTION 38 OF THE COMMUNICATIONS ACT, 2009 (ACT NO. 8 OF 2009) AND REGULATIONS 4, 6 AND 11 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 section 38 of the Communications Act, 2009 (Act No. 8 of 2009) read with Regulations 4, 6 and 11 of the Regulations Regarding Licensing Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licence, as published in Government Gazette No. 4785, General Notice No. 272 dated 29 August 2011 (as amended), herewith gives notice that it wishes to rectify the notice published in Government Gazette No. 5765, General Notice No. 191, dated 26 June 2015, which indicated that **Integrated Communication Systems CC** Applied for a Class Comprehensive Telecommunications Service Licence (ECS/ECNS) and a Spectrum Use Licence for purposes of providing Telephony, Fax & Internet Services.

The actual correct purpose for which the licences are applied for is to provide Fixed Satellite and not for purposes of providing Telephony, Fax & Internet as published in Government Gazette No. 5765, General Notice No. 266, dated 26 June 2015.

The rest of the notice as published in Government Gazette No. 5765, General Notice No. 266, dated 26 June 2015 remains valid and unchanged.

**L.N. JACOBS
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA**

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 364

2015

**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 sections 85 and 101 of the Communications Act, 2009 (Act No. 8 of 2009), read with regulations 5, 6 and 11 of the “Regulations Regarding Licensing Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences”, in the 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?
Radiance Consulting and Trading Services CC t/a Rapids 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;				
Radiance Consulting and Trading Services CC t/a Rapids FM	Namibia	100 %	88–108 MHz	98.200 MHz	Zambezi	Katima Mulilo	Katim Mulilo	1000.000 W	No	Commercial Broadcasting Service	Own
			88–108 MHz	88.700 MHz	Kavango-East	Rundu	Rundu	1000.000 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;
- (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
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA
