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CONTENTS

Page

GENERAL NOTICES

No. 155	Regulations setting out fees for spectrum licences, certificates and examinations	1
No. 156	Notice of intention to make regulations prescribing limits of tariffs for telecommunications services (“price cap regulations”): Communications act, 2009	6
No. 157	Notice of intention to make regulations regarding procedures for adjudication of disputes: Communications Act, 2009	11

General Notices

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 155

2017

REGULATIONS SETTING OUT FEES FOR SPECTRUM LICENCES, CERTIFICATES AND EXAMINATIONS

The Communications Regulatory Authority of Namibia, in terms of section 38(5), 101 and 129 of the Communications Act, 2009 (Act No. 8 of 2009) and the “Regulations regarding Rule-Making Procedures: Communications Act, 2009”, published as No. 334 in Government Gazette No. 4630 dated 17 December 2010, hereby publishes these “Regulations Setting Out Fees for Spectrum Licences, Certificates and Examinations” effective from the date of publication in the *Gazette*.

Definitions

1. In these Regulations, any word or expression to which a meaning is assigned in the Act, has the same meaning and -

“AM” means amplitude modulation;

“ERP” means effective radiated power;

“HF” means high frequency being the ITU designation for radio waves between 3 MHz and 30 MHz;

“ITU” means International Telecommunications Union;

“Regulations Setting Out Licence Conditions for Spectrum Use Licences” means the Regulations Setting Out Licence Conditions for Spectrum Use Licences as published in Government *Gazette* No. 5354, General Notice No. 469 of 2 December 2013, as amended from time to time;

“rural areas” means all geographical areas within the borders of the Republic of Namibia excluding those geographical areas identified as urban areas in the definition of “urban areas” in this regulation;

“satellite news gathering” means temporary and occasional transmission with short notice of television or sound for broadcasting purposes using portable or transportable uplink earth stations operating in the framework of a fixed satellite service;

“the Act” means the Communications Act, 2009 (Act No. 8 of 2009);

“VHF” means very high frequency being the ITU designation for radio waves between 30 MHz and 300 MHz;

“UHF” means ultrahigh frequency being the ITU designation for radio waves between 300 MHz and 3 GHz; and

“urban areas” means any location within the geographical area of the following local authority areas as declared under section 3 of the Local Authorities Act, 1992 (Act No. 23 of 1992): Katima Mulilo, Swakopmund, Mariental, Keetmanshoop, Rundu, Nkurenkuru, Windhoek, Opuwo, Eenhana, Gobabis, Outapi, Oshakati, Omuthiya, Otjiwarongo, Walvis Bay, Henties Bay, Omaruru, Okahandja, Grootfontein, Outjo, Tsumeb, Karasburg, Lüderitz (!Nami≠nüs), Oranjemund, Arandis, Karibib, Usakos, Aranos, Rehoboth, Khorixas, Helao Nafidi, Okahao, Oshikuku, Ruacana, Ondangwa, Ongwediva, Oniipa, Okakarara and Otavi.

Table containing fees relating to spectrum use

2. (1) As specified in regulations 6(1) and (2) of the Regulations Setting Out Licence Conditions for Spectrum Use Licences, the authorisation to utilise spectrum expires on 31 December of every calendar year and application must be made for the renewal thereof two months prior to 31 December of each year.

(2) The Table below specifies the following fees as payable to the Authority:

- (a) Annual and other fees payable with regard to the authorisation to utilise spectrum stipulated in a spectrum licence;
- (b) fees payable with regard to a certificate contemplated in section 101 of the Act;
- (c) fees payable with regard to an examination contemplated in section 101 of the Act.

(3) Notwithstanding anything else to the contrary contained in these Regulations and the Regulations Setting out Licence Conditions for Spectrum Use Licences -

- (a) the fees set out in the following items of the Table below are payable in full, and are not refundable or refundable in part, irrespective thereof that the spectrum licences pertaining to such fees are issued during the course of a specific annual year or,

during the same year, such licence or the authorisation to utilise spectrum in terms of such licence, expired, are forfeited, lapsed or are discontinued for whatever reason:

- (i) Items 1.1 (all classes of amateur radio spectrum licences), 1.2 (amateur radio beacon), 1.4 (amateur radio guest or special event spectrum licence) and 1.5 (amateur radio repeater station);
 - (ii) items 2.1 (aeronautical aircraft station), 2.2 (aeronautical glider/microlight), 2.3 (aeronautical ground station), 2.4 (aeronautical navigation aids/beacons) and 2.5 (aeronautical operator certificate radiotelephony (including duplicate));
 - (iii) items 3.1 (maritime beacon), 3.2 (operator certificate radiotelephony (including duplicate)), 3.3.1 (ship station ITU assigned frequencies), 3.3.2 (any additional ship station VHF or HF frequencies), 3.4.1 (coast station ITU assigned frequencies), 3.4.2 (any additional coast station VHF or HF frequencies) and 3.4.3 (coast station yacht and ski-boat stations);
 - (iv) item 4.2.1 (base mobile station 27/29 MHz band (including CB band));
 - (v) item 10.2 (competency certificate for radios above 400 Watt);
- (b) the fees set out in item 8.4 of the Table below for a mobile or fixed satellite news gathering station spectrum licence, is a monthly fee (irrespective whether a calendar month or a consecutive period of 30 days, the latter which, for purposes of this paragraph (b), is deemed to be a month) and -
- (i) the full monthly fee is payable per month or part thereof (thus irrespective if only used for a part of a month);
 - (ii) if the month when the spectrum licence is issued falls into two annual years for which different fees are prescribed, the lower fee applies to that month; and
 - (iii) if the spectrum licence holder wishes to continue to use the spectrum, application for renewal must be made prior to end of the relevant month or months for which such licence was issued;
- (c) the fees set out in items 9.4.1 and 9.4.2 of the Table below for a spectrum licence relating to a special event broadcast with a maximum of 10 Watt or for outside broadcasting vehicle links, respectively, are once off non-refundable fees payable per event for which a spectrum licence is issued, as specified in the Table.

TABLE

SPECTRUM LICENCES, CERTIFICATES AND EXAMINATIONS FEES

TYPE OF CERTIFICATE OR SPECTRUM LICENCE		FEES (N\$)
1.	AMATEUR RADIO	
1.1	All classes of amateur radio spectrum licences	N\$ 97.00
1.2	Beacon	N\$ 97.00
1.3	Examination	N\$ 97.00
1.4	Guest or special event spectrum licence	N\$ 97.00
1.5	Repeater station	N\$ 97.00

2. AERONAUTICAL				
2.1	Aircraft station	N\$194.00		
2.2	Glider / microlight	N\$ 97.00		
2.3	Ground station	N\$116.00		
2.4	Navigation aids / beacons	N\$ 97.00		
2.5	Operator certificate radiotelephony (including duplicate)	N\$ 97.00		
3. MARITIME				
3.1	Beacon	N\$ 97.00		
3.2	Operator certificate radiotelephony (including duplicate)	N\$ 97.00		
3.3	Ship Station			
	3.3.1	ITU assigned frequencies	N\$291.00	
	3.3.2	Any additional VHF or HF frequencies	N\$969.00	
3.4	Coast Station			
	3.4.1	ITU assigned frequencies	N\$291.00	
	3.4.2	Any additional VHF or HF frequencies	N\$969.00	
	3.4.3	Yacht and ski-boat stations	N\$ 97.00	
4. LAND MOBILE SERVICE				
4.1	Private alarm station (see item 6.1 for alarm systems)	N\$323.00		
4.2	Base Mobile Station			
	4.2.1	27/29 MHz band (including CB band)	N\$ 78.00	
	4.2.2	VHF/UHF per simplex frequency in urban areas	N\$194.00	
	4.2.3	VHF/UHF per simplex frequency in rural areas	N\$116.00	
4.3	Repeater (private and exclusive)			
	4.3.1	Duplex frequency urban areas	N\$2,132.00	
	4.3.2	Duplex frequency rural areas	N\$775.00	
	4.3.3	Simplex frequency (Parrot repeater)	N\$349.00	
	4.3.4	Any additional simplex frequency (per frequency)	N\$194.00	
4.4	Experimental Station			
	4.4.1	Experimental station valid for 6 months	N\$194.00	
4.5	Radio Link Station			
	4.5.1	Radio Link up to 1000 MHz	N\$966.00	
	4.5.2	Radio Link above 1000 MHz per MHz calculated based in the assigned bandwidth per frequency	N\$2,300.00	
4.6	National Occupancy (Base Mobile Station)			
	4.6.1	Not shared	N\$1,551.00	
	4.6.2	Shared	N\$194.00	
5. HIGH FREQUENCY (HF) RADIO				
5.1	Fixed/mobile Station	N\$291.00		
5.2	Fixed radio station above 400Watt	N\$1,938.00		
6. RADIO COMMUNICATIONS SYSTEMS				
6.1	Alarm			
	6.1.1	Urban complexes (per control room and per frequency)	N\$6,461.00	
	6.1.2	All other areas (per control room and per frequency)	N\$1,615.00	
6.2	Load management (including telemetry)	N\$6,461.00		
6.3	Paging (one-way)			
	6.3.1	Commercial		
		6.3.1.1	Application	N\$2,019.00
		6.3.1.2	Per control room	N\$9,691.00

	6.3.2	Private	
		6.3.2.1	Per control room and per frequency
			N\$194.00
6.4	Radio trunking		
	6.4.1	For a maximum of one control channel per base station	N\$969.00
	6.4.2	For each additional double frequency or if only one channel is used at a base station	N\$4,845.00
6.5	Repeater (Community/Shared)		
	6.5.1	Urban area per duplex frequency (commercial use)	N\$4,458.00
	6.5.2	All other areas per duplex (commercial use)	N\$2,326.00
	6.5.3	All other areas per duplex (farmers associations only)	N\$969.00
7.	MOBILE TELECOMMUNICATIONS SERVICES		
7.1	Fee as per 200 kHz frequency pair consecutively (900 MHz only)		N\$13,800.00
7.2	Fee as per 200 kHz frequency pair consecutively (1800 MHz only)		N\$11,040.00
7.3	Fee as per 1 MHz frequency for 3G (UMTS)		N\$27,600.00
8.	SATELLITE SERVICES (LAND, MOBILE, MARITIME)		
8.1	Immarsat		
	8.1.1	A terminal	N\$2,907.00
	8.1.2	B,C and M terminal (64 kbit/s)	N\$1,163.00
	8.1.3	D terminal (data only) RB GAN	N\$485.00
8.2	Satellite Digital Uplink per 64 kbit/s		N\$6,461.00
8.3	Uplink broadcasting signal distribution fixed satellite earth station		N\$34,500.00
8.4	Mobile or fixed satellite news gathering station (per month or part thereof)		N\$3,450.00
9.	BROADCASTING SERVICES		
9.1	FM Radio Broadcasting Transmitter		
	9.1.1	0.000 up to 100.999 Watt (ERP)	N\$690.00
	9.1.2	101.000 up to 999.999 Watt (ERP)	N\$1,380.00
	9.1.3	1000 Watt (ERP) and above	N\$2,070.00
9.2	Television Broadcasting Transmitter		
	9.2.1	0.000 up to 100.999 Watt (ERP)	N\$7,521.00
	9.2.2	101.000 up to 999.999 Watt (ERP)	N\$9,246.00
	9.2.3	1000 Watt (ERP) and above	N\$11,523.00
9.3	AM/HF Radio Broadcasting Transmitter		
	9.3.1	0.000 up to 999.999 Watt (ERP)	N\$690.00
	9.3.2	1000 Watt (ERP) and above	N\$1,725.00
9.4	Other broadcasting services		
	9.4.1	Special event broadcast spectrum licence maximum 10 Watt (fee per day up to a maximum capped fee equal to 30 days' daily fee irrespective if period thereafter exceeds 30 days the maximum fee shall then apply)	N\$690.00 Maximum fee: N\$ 20,700.00
	9.4.2	Outside broadcasting vehicle links (per event irrespective of duration)	N\$4,600.00
10.	MISCELLANEOUS		
10.1	National Security Forces		N\$75,900.00
10.2	National Defence Force		N\$75,900.00
10.3	Competency certificate (radios above 400 Watt)		N\$97.00
10.4	Duplicate spectrum licences		N\$97.00
10.5	Photocopies per A4 sheet		N\$1.50

Application of fees and general provisions

3. (1) (a) Where an annual fee specified in the Table above, for whatever reason, is not payable in respect of a whole calendar year, the fee to be paid or to be refunded must be apportioned according to the relevant number of months for which payment is made.

(b) For purposes of paragraph (a), a part of a month is regarded as a full month.

(c) Irrespective of the actual amount contemplated in paragraph (a), the minimum fee payable is N\$ 60.00, excluding photocopies.

(d) This sub-regulation is subject to regulation 2(3).

(2) The Authority may not issue a spectrum licence, or a certificate, or renew the authorisation to utilise spectrum stipulated in a spectrum licence, or a certificate, unless the relevant fee as set out in the Table above is paid to the Authority.

(3) A spectrum licence is issued, and the right to utilise spectrum is authorised, subject to the Regulations Setting Out Licence Conditions for Spectrum Use Licences.

Commencement of these Regulations

4. (1) Subject to sub-regulation (2), these Regulations will become effective on 1 January 2018.

(2) A person or a spectrum licensee who applies in 2017 for a spectrum licence, or to renew the authorisation to utilise spectrum for the ensuing calendar year as contemplated in regulation 6(1) and (2) of the Regulations Setting Out Licence Conditions for Spectrum Use Licences, must pay the relevant fee set out in these Regulations by the due date for payment notwithstanding that such due date may be on or prior to 1 January 2018.

(3) Sub-regulation (2) applies in the same manner, but with the necessary changes, to certificates contemplated in items 2.5, 3.2 and 10.2 of the Table above.

F. KISHI

CHAIRPERSON OF THE BOARD OF DIRECTORS

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 156

2017

NOTICE OF INTENTION TO MAKE REGULATIONS PRESCRIBING LIMITS OF TARIFFS FOR TELECOMMUNICATIONS SERVICES ("PRICE CAP REGULATIONS"), COMMUNICATIONS ACT, 2009

The Communications Regulatory Authority of Namibia in terms of regulation 4(3) of the Regulations Regarding Rule-Making Procedures published as General Notice No. 334 of 17 December 2010 publishes this notice of intention to make Regulations Prescribing Limits of Tariffs for Telecommunications Services ("Price Cap Regulations") which contains the following:

(a) Publishes this Notice of Intention to Make Regulations Prescribing Limits of Tariffs for Telecommunications Services ("Price Cap Regulations") as set out in Schedule 1;

- (b) Sets out the concise statement of the reasons and purpose for the proposed regulations in Schedule 2.

The public may make oral submissions on the proposed regulations to the Authority at a time, date and place notified by the Authority.

The public are hereby invited to make written representations, comments, communications and submissions (hereafter collectively called "submissions") to the Authority within Thirty (30) consecutive days from the date of publication of this notice in the Gazette, in the manner set out below for making written submissions.

All written submissions must:

- (a) Contain the name and full contact details (physical and postal address, email address and telephone or cell phone number) of the person making the written submissions and the name and similar contact details of the person for whom the written submission is made if different; and
- (b) be clear and concise.

In the event that where any person making a submission wishes to designate any information contained in such submission as confidential, such must be clearly marked as "confidential". Notwithstanding, if the Authority is of the opinion that information is not confidential it will inform the person that thereof thereby-

- (a) allowing the person the withdraw the information from the rule-making proceedings;
- (b) agreeing with the person that it will not be treated anymore as confidential information; or
- (c) requesting a hearing on the issue of confidentiality to be conducted in accordance with section 28 of the Communications Act.

In terms of Regulation 7 of the Regulation regarding Rule-Making Procedure published in Government Gazette 4630, General Notice No. 334 dated 17 December 2010 herewith gives notice that it will hold a hearing regarding the proposed regulations as follow:

DATE: TUESDAY, 11 JULY 2017

TIME: 11H00

VENUE: TBA

The public is invited to make comments and/or oral submissions at the hearing.

All notices of oral submissions to be made during the hearing must be submitted to the Authority on or before **03 JULY 2017**.

All written submissions and notice of oral submissions must be send or submitted to be received by the Authority on or prior to the due date to anticipated above in any of the following manners-

- (a) by hand to the head office of the Authority, namely Communications House, No 56 Robert Mugabe Avenue, Windhoek;
- (b) by post to the head office of the Authority; namely Private Bag 13309, Windhoek, 9000;
- (c) by electronic mail to the following address: legal@cran.na;

- (d) by facsimile to the following facsimile number: +264 61 222790; and
- (e) By fax to email to: 0886550852

F. KISHI
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

SCHEDULE 1

**PROPOSED REGULATIONS PRESCRIBING LIMITS OF TARIFFS FOR
TELECOMMUNICATIONS SERVICES (“PRICE CAP REGULATIONS”)**

The Communications Regulatory Authority of Namibia, in terms of section 53(20)(a) and (d) and 129 of the Communications Act, 2009 (Act No. 8 of 2009) and the “Regulations regarding Rule-Making Procedures: Communications Act, 2009”, published as No. 334 in Government Gazette No. 4630 dated 17 December 2010, hereby publishes these “Regulations Prescribing Limits of Tariffs for Telecommunications Services (“Price Cap Regulations”)” which will become effective on the date set out in regulation 7 of these Regulations Prescribing Limits of Tariffs for Telecommunications Services.

Definitions

1. In these Regulations, any word or expression to which a meaning is assigned in the Act, has the same meaning and -

“leased line”, whether national or international in scope, means a private bi-directional or symmetric telecommunications line between two or more locations provided in exchange for a monthly or other periodic rent and, without limiting the generality of the foregoing, includes a two-way link for the exclusive use of a subscriber regardless of the manner used by the subscriber (for example switched subscriber or non-switched, or voice or data);

“pre-arranged connectivity” means any fibre based data connectivity including, but without limiting the generality of the foregoing, PDH, SDH, ATM, Gigabit Ethernet or any similar protocol;

“price cap” means the limits on tariffs that licensees may charge for the rendering of telecommunications services to which these Regulations apply;

“Regulations in respect of Type Approval and Technical Standards for Telecommunications Equipment” means the Regulations in respect of Type Approval and Technical Standards for Telecommunications Equipment as published in Government Gazette No. 5659 of 30 January 2015, Notice No. 22 of 2015;

“the Act” means the Communications Act, 2009 (Act No 8 of 2009);

“these Regulations” means these Regulations Prescribing Limits of Tariffs for Telecommunications Services (“Price Cap Regulations”).

“resale” means the commercial offering to the public of telecommunications services obtained from another carrier and “reseller” will be construed accordingly;

Application and purpose of these Regulations

2. (1) These Regulations apply to -

- (a) Licensees that are deemed to be dominant operators in the market for national data transmission, providing telecommunications services for pre-arranged connectivity in the form of leased lines; and
- (b) managed and unmanaged transmission services, independent of the protocol used (such as PDH, SDH, ATM and Gigabit Ethernet or any similar protocol).
- (c) for the purpose of resale

(2) The purpose of these Regulations is to prescribe the price caps which licensees may charge for leased lines and all other pre-arranged connectivity.

Price caps

3. (1) The price caps and the times at which they become applicable are as set out in the table below:

Date of Becoming Applicable	Price Cap
On date of commencement of these Regulations	N\$ 1,585.60 per 2 Mbps
On the first anniversary after the commencement of these Regulations	N\$ 1,413.13 per 2 Mbps
On the second anniversary after the commencement of these Regulations	N\$ 1,122.72 per 2 Mbps
On the third anniversary after the commencement of these Regulations	N\$ 891.27 per 2 Mbps

- (2) The price caps as set out in the table -
 - (a) are applicable to 2 Mbps and every multiple thereof and as regards submultiples of 2 Mbps the price cap shall be apportioned accordingly;
 - (b) apply irrespective of the distance involved or the duration of the contract concluded for the provision of the telecommunication services to which these Regulations apply; will become effective as indicated without any notification or tariff approval procedure by the Authority;
 - (c) do not apply to customer premises devices, whether such devices are on the customer's own premises or not or whether such devices are owned or leased by such customer, and a licensee's tariffs must, in this regard, be sufficiently disaggregated as anticipated in section 53(19)(f).

(3) Subregulation (2)(c) does not impact on the obligations of a licensee providing telecommunications services to obtain approval from the Authority for tariffs contemplated in section 53(1) and (7) of the Act.

Customer premises devices

4. (1) A Dominant licensee providing telecommunications services for resale must offer leased lines and pre-arranged connectivity with and without customer premises devices.

(2) A reseller and an end user may use their own customer premises devices if approved in accordance with the Regulations in respect of Type Approval and Technical Standards for Telecommunications Equipment or may use devices provided by Telecom.

Granting of extension

5. (1) If a licensee, on reasonable grounds, is unable to reduce its tariffs, whether with regard to a single person or a category of persons or with regard to all its tariffs, in accordance

with the price caps at the relevant time frames provided, such licensee may, at least seven days prior to such price cap becoming effective, request the Authority, for an extension of time to allow it reasonable opportunity in view of the circumstances to ensure that its tariffs comply with these Regulations.

(2) Upon receiving a request for extension under subregulation (1), the Authority must consider such request taking into consideration, amongst others but not limited to, the nature of the proceedings and the reasons for the inability of the dominant licensee to comply with the price caps in a timely manner, and as soon as is practical under circumstances decide whether or not to grant an extension and the period of the extension.

Penalties

6. (1) The penalties provided for in this regulation may be imposed on a licensee to whom these Regulations apply and who fails to comply with or contravenes any provision of these Regulations.

(2) In the event where a licensee contemplated in subregulation (1) fails to comply with, or contravenes, any provision of these Regulations, the Authority may -

- (a) issue to such licensee a written warning indicating in such warning the date upon which the licensee must comply with such provision;
- (b) request such licensee to implement a remedial plan which would ensure compliance within the time frames determined by the Authority;
- (c) impose a penalty on such licensee not exceeding N\$ 1,000,000.00 which penalty may be imposed with regard to every failure to comply or contravention by such licensee;
- (d) issue an enforcement order as contemplated in section 116, read with section 129(3), of the Act;
- (e) take any such other measures as the Authority may deem appropriate under circumstances.

(3) The Authority may impose any one or more of the measures set out in subregulation (2).

(4) A penalty payable in terms of this regulation, is payable to the Authority, is a debt due to the Authority and may be recovered by the Authority by means of instituting proceedings in a competent court.

(5) Except in the event of an urgency, before taking any measure set out in subregulation (6), the Authority must give the affected dominant licensee the opportunity to be heard whereafter the Authority may -

- (a) decide not to impose the relevant measure; or
- (b) impose such measure as the Authority deems fit.

Commencement of these Regulations

7. Subject to subregulation (2), these Regulations will become effective on 1 January 2018.

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 157

2017

**NOTICE OF INTENTION TO MAKE REGULATIONS REGARDING PROCEDURES FOR
ADJUDICATION OF DISPUTES, COMMUNICATIONS ACT, 2009**

The Communications Regulatory Authority of Namibia in terms of regulation 4(3) of the Regulations Regarding Rule-Making Procedures published as General Notice No. 334 of 17 December 2010 publishes this notice of intention to make Regulations regarding Procedures for Adjudication of Disputes, which contains the following:

- (a) Publishes this Notice of Intention to Make Regulations Setting out for Adjudication of disputes as set out in Schedule 1;
- (b) Sets out the concise statement of the reasons and purpose for the proposed regulations in Schedule 2.

The public may make oral submissions on the proposed regulations to the Authority at a time, date and place notified by the Authority.

The public are hereby invited to make written representations, comments, communications and submissions (hereafter collectively called "submissions") to the Authority within thirty (30) consecutive days from the date of publication of this notice in the Gazette, in the manner set out below for making written submissions.

All written submissions must:

- (a) Contain the name and full contact details (physical and postal address, email address and telephone or cell phone number) of the person making the written submissions and the name and similar contact details of the person for whom the written submission is made if different; and
- (b) be clear and concise.

In the event that where any person making a submission wishes to designate any information contained in such submission as confidential, such must be clearly marked as "confidential". Notwithstanding, if the Authority is of the opinion that information is not confidential it will inform the person that thereof thereby-

- (a) allowing the person to withdraw the information from the rule-making proceedings;
- (b) agreeing with the person that it will not be treated anymore as confidential information; or
- (c) requesting a hearing on the issue of confidentiality to be conducted in accordance with section 28 of the Communications Act.

In terms of Regulation 7 of the Regulation regarding Rule-Making Procedure published in Government Gazette 4630, General Notice No. 334 dated 17 December 2010 herewith gives notice that it will hold a hearing regarding the proposed regulations as follows:

DATE: TUESDAY, 11 JULY 2017

TIME: 10H00 (registration starts at 09H30)

VENUE: TBA

The public is invited to make to make comments and/or oral submissions at the hearing. All notices of oral submissions to be made during the hearing must be submitted to the Authority on or before **03 JULY 2017**.

All written submissions and notice of oral submissions must be send or submitted to be received by the Authority on or prior to the due date to anticipated above in any of the following manners-

- (a) by hand to the head office of the Authority, namely Communications House, No 56 Robert Mugabe Avenue, Windhoek;
- (b) by post to the head office of the Authority; namely Private Bag 13309, Windhoek, 9000;
- (c) by electronic mail to the following address: legal@cran.na;
- (d) by facsimile to the following facsimile number: +264 61 222790; and
- (e) By fax to email to: 0886550852

F. KISHI
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

SCHEDULE 1**CONCISE STATEMENT OF PURPOSE**

The purpose of these Regulations is to-

- (a) define the nature and ambit of a dispute that the Communications Regulatory Authority of Namibia is required to adjudicate in terms of the Communications Act, 2009;
- (b) to set out the applicable procedures for adjudicating disputes;
- (c) to make provision for alternative dispute resolution in the form of mediation and to regulate the procedures for such mediation;
- (d) to provide for ancillary matters connected to the adjudication of disputes by the Authority.

SCHEDULE 2**PROPOSED REGULATIONS REGARDING PROCEDURES FOR THE ADJUDICATION OF DISPUTES: COMMUNICATIONS ACT, 2009**

The Communications Regulatory Authority of Namibia in terms of section 129 read with section 69, section 74(2) and section 132 of the Communications Act, 2009 (Act No. 8 of 2009), makes the Regulations set out in the Schedule.

Definitions

1. In these Regulations, any word or expression to which a meaning is assigned in the Act has that meaning, and -

“Act” means the Communications Act, 2009 (Act No. 8 of 2009);

“complainant” means any person who is a customer of a service provider;

“complaint” means a written complaint submitted by a complainant to a service provider or to the Authority in accordance with section 131 of the Act, as the case may be relating to the quality of service rendered by a service provider;

“customer” means any person who makes use of the services of a service provider and includes a potential customer of a service provider;

“day” excludes a Saturday, Sunday and public holiday;

“determination” means any order or decision made by the Authority to finally dispose of a dispute;

“dispute” means a dispute in connection with a complaint or a request for adjudication referred to the Authority for determination;

“mediation” means a form of alternative dispute resolution which is a voluntary, impartial, confidential and flexible process aimed at resolving -

(a) a complaint; or

(b) a request for adjudication;

“respondent” means a party in respect of whom a dispute is referred or is intended to be referred to the Authority;

“request for adjudication” means a written request by a service provider or, for purposes of paragraph (f), an interception centre requiring the Authority to make a determination -

(a) of reasonable terms in accordance with section 48(8) of the Act relating to the duties referred to in that section;

(b) of terms of interconnection in accordance with section 49(7) of the Act, if service providers fail to agree on such terms within a reasonable period;

(c) of the appropriate prices, terms or conditions in accordance with section 50(10) of the Act, for any agreement in terms of that section where the service providers concerned are unable to negotiate a reasonable price, or terms or conditions for such agreement;

- (d) of a discounted rate for resale in accordance with section 51(3) of the Act, where the service providers concerned are unable to negotiate such discounted rate for resale;
- (e) in accordance with section 69(1) of the Act regarding the exercise of the rights conferred upon a service provider in Part 5 of Chapter V of that Act;
- (f) in accordance with section 74(2) of the Act regarding any dispute that may arise between a service provider and an interception centre, if such a dispute relates to any duty imposed by Part 6 of Chapter V of that Act or a Regulation made in terms of any provision of that Part;

“service provider” means a carrier, licensee or a telecommunications service provider contemplated in Chapter V of the Act;

“submitting party” means a complainant, service provider or interception centre who intends to refer or who referred a dispute to the Authority;

“quality of service”, in relation to the services rendered by a service provider means the minimum quality of service standards set out in Appendix A to the Regulations Prescribing Quality of Service Standards Applicable to Service Licensees No. 152 of 21 April 2015.

Submission of documents to the Authority

2. In these Regulations, when persons are permitted or called upon to submit information to the Authority in writing, they may do so either physically or electronically -

- (a) by hand to the head offices of the Authority, namely Communications House, 56 Robert Mugabe Avenue, Windhoek;
- (b) by post to the head office of the Authority, namely Private Bag 13309, Windhoek 9000;
- (c) by electronic mail to the following address: legal@cran.na;
- (d) by facsimile to the following facsimile number: +264 61 222790; or
- (e) in any other manner or at alternative addresses set out by the Authority from time to time.

Application and purpose

3. (1) These Regulations apply to -

- (a) complainants;
- (b) service providers;
- (c) interception centres, where applicable.

(2) The purpose of these Regulations is to regulate the procedures for the resolution of complaints and requests for adjudication received by the Authority.

Delivery of complaints and requests for adjudication

4. (1) A complainant that wishes to submit a complaint must do so by delivering a completed Complaint Form (Form A hereto) to the Authority.

(2) A service provider or interception centre, as the case may be, that wishes to submit a request for adjudication must do so by delivering a completed Request for Adjudication Form (Form B hereto) to the Authority.

(3) A submitting party may only deliver a Complaint Form or Request for Adjudication Form to the Authority -

- (a) if the submitting party has first presented to the respondent the complaint or the subject-matter of the request for adjudication, as the case may be; and
- (b) if the complaint or the subject-matter of the request for adjudication, as the case may be, has not been resolved or adequately resolved by the respondent within a period of 14 days after receiving such complaint or subject-matter of the request for adjudication; or
- (c) upon showing good cause why the complaint or the subject-matter of the request for adjudication has not been submitted first to the respondent.

Particulars required in respect of complaints

5. A complaint must contain -

- (a) the name and complete contact details of the complainant and the name and contact details of the person delivering the Complaint Form, if different;
- (b) the name of the respondent, or if the name of the respondent is unknown, as many identifying details as are available in order to assist the Authority in identifying the respondent;
- (c) an accurate and concise statement of the facts that gave rise to the complaint and the basis on which it is alleged that the respondent acted wrongly;
- (d) a clear and concise statement of the specific relief or remedy sought; and
- (e) any other information deemed relevant by the complainant or requested by the Authority.

Complainants requiring assistance

6. (1) If a complainant has a disability or is disadvantaged due to a lack of language or writing skills, the complainant may seek assistance from the Authority's legal department.

(2) Where the complainant is blind, his or her complaint must be orally recorded and transcribed by the Authority.

Joint complaints

7. More than one complainant may jointly deliver a complaint to the Authority, in which event the joint complainants must -

- (a) ensure that one complainant signs the hard copy of the complaint on behalf of the other complainants; and
- (b) designate one of the complainants or a single representative to receive correspondence relating to the complaint on their behalf;

- (c) attach a letter of authorization or a power of attorney verifying the authority of the persons contemplated in paragraphs (a) and (b).

Internal complaints resolution procedures of service providers

8. (1) Service providers must establish clear and easily-understood internal complaints resolution procedures to resolve complaints submitted directly to them by customers, which must include provisions to -

- (a) ensure the resolution of a complaint within 14 days of receipt thereof; and
- (b) notify customers of their right to submit a complaint to the Authority in terms of these Regulations if the matter has not been resolved within the aforesaid 14 days.

(2) Service providers must maintain records of all complaints submitted to them by customers and complaints submitted to the Authority in terms of these regulations.

(3) Service providers must annually by the end of their financial year submit to the Authority -

- (a) a report setting out the number of complaints -
 - (i) received from customers;
 - (ii) resolved by the service provider; and
 - (iii) delivered to the Authority.
- (b) a written copy of their internal complaints resolution procedures.

Particulars required in respect of requests for adjudication

9. A request for adjudication must contain -

- (a) the name and contact details of the service providers that have a direct or substantial interest in the request for adjudication and the name and contact details of the person delivering the Request for Adjudication Form;
- (b) the contact details of the head of the interception centre, if applicable;
- (c) the name and contact details of the respondent;
- (d) an accurate and concise statement of the facts that gave rise to the request for adjudication and the basis, if any on which it is alleged that the respondent acted wrongly;
- (d) a clear and concise statement of the specific relief or remedy sought; and
- (e) any other information deemed relevant by the service provider in question or requested by the Authority.

Procedures prior to adjudication by Authority

10. (1) Upon receiving a complaint or request for adjudication, the Authority must within three days issue an acknowledgement of receipt and a reference number to the submitting party.

(2) Unless the complaint or request for adjudication is frivolous or vexatious, the Authority must deliver a copy of such complaint or request for adjudication to the respondent and to any other party who may have a direct or substantial interest therein.

(3) The respondent must deliver to the Authority and the submitting party a written response to the complaint or request for adjudication within seven days from date of receipt thereof.

(4) (a) If the respondent fails without good cause to deliver a written response within the period referred to in subregulation (3), the Authority must request the respondent to deliver its response within a further period stipulated by the Authority, which period must not be more than three days.

(b) Should the Authority not receive the response within the period stipulated by it, the Authority must adjudicate the complaint or the request for adjudication, as the case may be, without such response.

(5) (a) The submitting party must within seven days of receipt of the respondent's response deliver to the Authority and simultaneously to the respondent a written reply to such response.

(b) If the submitting party fails without good cause to deliver a written reply within the period referred to in paragraph (a), the Authority must request the submitting party to deliver its response within a further period stipulated by the Authority, which period must not be more than three days.

(c) Should the Authority not receive the submitting party's written reply within the period stipulated by it, the Authority shall regard the matter as having been finalized and will forthwith close the matter, provided that the Authority is not precluded from contacting the submitting party for an explanation before closing the matter.

(6) All written submissions contemplated in this Regulation must be clear and concise and conform to any further requirements determined by the Authority from time to time.

(7) The Authority may request additional information or documentation from a submitting party or the respondent relating to a dispute, and may stipulate the time periods and the manner in which such information or documentation must be submitted.

Decision by Authority upon conclusion of documentary exchange

11. (1) Upon the conclusion of the process contemplated in **regulation 10** the Authority may -

(a) initiate an investigation in terms of sections 122 to 127 of the Act;

(b) call for written submissions or conduct an oral hearing;

(c) appoint a suitably qualified person to conduct mediation proceedings in order to obtain a settlement of the dispute;

(d) dismiss the dispute, wholly or in part, subject thereto that the Authority must provide written reasons for such dismissal;

(e) grant the relief sought in the complaint or request for adjudication, wholly or in part, but only if the respondent agrees to the granting of such relief;

- (f) take any other action or decision, as may be appropriate in the circumstances, or refuse to take any action or decision, as may be appropriate in the circumstances.
- (2) The Authority must inform the submitting party of the progress of the dispute when -
 - (a) all documentation has been exchanged in terms of **regulation 10**; and
 - (d) the Authority has made a decision in accordance with subregulation (1).

Written submissions and oral hearings

12. (1) If in accordance with **regulation 11(1)(b)** the Authority decides to call for written submissions or to conduct an oral hearing to determine a dispute, the procedures set out in the Regulations Regarding Hearings No. 310 of 13 September 2012 must be followed to determine the dispute.

- (2) In addition to the procedures set out in subregulation (1), the Authority must-
 - (a) conduct an oral hearing in a manner that the Authority considers appropriate in order to determine a dispute fairly and quickly; and
 - (b) deal with the substantial merits of the dispute with the minimum of legal formalities and without strictly applying the rules of the law of evidence.
- (3) The Authority may -
 - (a) administer an oath or accept an affirmation from any individual called to give evidence at an oral hearing; and
 - (b) question any individual about any matter relevant to the dispute.

(4) A person who, without lawful excuse refuses to answer any question put to that person by the Authority in terms of subregulation (3)(b) commits an offence and is liable to a fine not exceeding N\$10,000 or to imprisonment for a period not exceeding two years or to both the fine and imprisonment.

(5) Subject to the discretion of the Authority or the agreement of the parties as to the appropriate form of proceedings, a party to a dispute may give evidence, call witnesses, question witnesses of any other party, and address concluding oral submissions to the Authority.

(6) If the parties to the dispute so request, the Authority may suspend the proceedings to enable the parties to resolve the dispute through negotiation.

- (7) Subject to subregulation (8), in any oral hearing a party to a dispute must-
 - (a) appear in person, if the party is an individual; or
 - (b) be represented by an office bearer or official if that party is a service provider or interception centre;
- (8) Subject to subregulation (9), the Authority may permit -
 - (a) a legal practitioner; or
 - (b) any other individual,

to represent a party to a dispute.

(9) If a party to a dispute intends to be represented at an oral hearing by a person contemplated in subregulation (8)(a) or (b) such party must send a letter of authorization or power of attorney to the Authority and to the opposing party no later than one week before the hearing as notification of that party's intention to be so represented.

(10) The Authority must consider the letter of authorization or power of attorney and exercise its discretion to allow a party to be represented at the hearing by the person indicated in such letter of authorization or power of attorney, which decision must be conveyed to both parties no later than three days before the hearing.

(11) After hearing the evidence of the parties to the dispute the Authority must afford the parties an opportunity to make oral concluding submissions regarding the manner in which the dispute must be determined.

(12) The oral concluding submissions must -

- (a) include a statement of the name and contact details of the person making the such submissions and the name and contact details of the person for whom those submissions is made, if different;
- (b) be clear and concise; and
- (c) conform to any further requirements stipulated by the Authority.

(13) The Authority may require -

- (a) that in lieu of oral concluding submissions the parties should provide written concluding submissions to the Authority;
- (b) further information or clarification from the person making oral concluding submissions;
- (c) that documentation or further written submissions must be provided to the Authority at the time and in the manner directed by the Authority.

(14) The Authority must keep a record of -

- (a) any evidence given in an oral hearing;
- (b) any sworn testimony given in any proceedings before the Authority; and
- (c) any determination or ruling made by the Authority.

(15) The record may be kept by legible hand-written notes or by means of an electronic recording.

(16) A party may request a copy of the transcript of a record or a portion of a record kept in terms of subrule (15), on payment of the costs of the transcription.

Determination of the Authority

13. (1) The Authority must render a determination within 60 days after the conclusion of oral hearing or the submission of all written submissions in respect of a dispute.

- (2) The Authority's determination must be in writing and must contain -
 - (a) concise findings of fact and conclusions of law together with reasons for the order, sanc; and
 - (b) the appropriate order, sanction, relief, or remedy or the denial of the requested order, sanction, relief or remedy.
 - (c) reasons for the order, sanction, relief or remedy imposed or the denial of the requested order, sanction, relief or remedy.

Extension of proceedings by Authority

14. (1) The Authority may in exceptional circumstances extend any portion of the proceedings to resolve a dispute, inclusive of the date to render a determination, where it deems it necessary to do so.

(2) Notwithstanding subregulation (1), if the Authority is unable to render a determination within 60 days of the last written or oral submissions of the parties to a dispute, the Authority must inform the parties of its inability and what measures are being taken to address the matter urgently, which determination must then be rendered within a further maximum period of 30 days after the lapse of the aforesaid 60 days, unless the Authority has identified extraordinary circumstances beyond the Authority's reasonable control that make it impossible to render such determination within that further period of 30 days.

Referral of dispute for mediation

15. (1) The Authority may at any time refer a dispute to mediation and towards that end the Authority must, after hearing the parties -

- (a) give directions concerning terms of reference, where and how, and if not agreed by the parties, by whom such mediation is to be conducted; and
- (b) stipulate the time when it is to be conducted, as well as the time when or within which a report by the mediator concerned is to be submitted to the Authority.

(2) The costs of any mediation proceedings referred to in subregulation (1) must be borne by the Authority.

(3) No further proceedings relating to the dispute must take place until the mediation proceedings are concluded.

(4) If the mediation proceedings fail to produce a settlement the report referred to in subregulation (1)(b) must only state the fact that the settlement discussions have failed, without stating the reason for such failure.

Obligations of parties where dispute is referred for mediation

16. (1) Where a matter has been referred for mediation in terms of regulation 15 the parties must exchange letters in writing as follows -

- (a) the letter of the submitting party or of that party's legal practitioner, if represented, must set out the following information -
 - (i) a brief summary of the facts and legal principles, if any that the submitting party relies on to establish the complaint or request for adjudication;

- (ii) a brief explanation of why, in the opinion of the submitting party, the relief claimed in the dispute should be granted;
 - (iii) an itemisation of the relief the submitting party believes can be established during a formal hearing by the Authority and a brief summary of the facts and legal principles supporting the relief; and
 - (iv) a concise settlement proposal; and
- b) the letter of the respondent or of the respondent's legal practitioner, if represented, in response to the submitting party's letter must set out the following information -
- (i) any points in the submitting party's letter with which the respondent agrees;
 - (ii) any points in the submitting party's letter with which the respondent disagrees; and
 - (iii) a concise settlement offer.
- (2) Copies of the letters referred to in subregulation (1) must not under any circumstances be brought to the attention of the Authority.
- (3) The parties or the legal practitioners of the parties, if represented, must within seven days after the exchange of letters referred to in subregulation (1) determine a date for holding a settlement conference before the mediator.
- (4) The legal practitioners of the parties, if represented must provide their respective clients with the opposing party's letter referred to in subregulation (1) before the holding of a settlement conference.
- (5) Only a person with full settlement authority must attend a settlement conference convened before the mediator within a time limit as directed by the Authority.
- (6) For the purposes of discussing and reaching settlement of a dispute in terms of subregulation (5), a party that is -
- (a) a natural person, must be represented by that natural person or if that natural person is under a disability by his or her legal representative;
 - (b) a juristic person, must be represented by a person duly authorised in writing by that juristic person, other than the legal practitioner of record;
- (7) A person referred to in subregulation (5) must, without reference to any other person not present at the settlement conference, have the necessary authority to make a final and binding settlement regarding any offer or demand.
- (8) The letters referred to in subregulation (1) and anything discussed during a settlement conference are without prejudice and may not be used by any party in the proceedings to which the letters and the conference relate or in any other proceedings.
- (9) Any settlement reached between the parties during mediation proceedings will be final and binding on the parties.
- (10) If the mediation failed to resolve the dispute, the mediator must refer the dispute back to the Authority to dispose thereof in terms of these Regulations.

Confidential information

17. (1) If a party to a dispute has designated information or documentation submitted to the Authority as confidential, the provisions of section 28 of the Act apply.

(2) A party to a dispute may request the Authority that an oral hearing or any part thereof be closed to the public on the grounds that information or evidence tendered during such hearing or part thereof is confidential

(3) If an oral hearing is closed to the public by the Authority such hearing must be regarded as a confidential meeting in terms of section 29 of the Act, and the notice of the closed meeting required by section 29(4) of that Act must be maintained on the relevant file pertaining to the dispute.

Condonation

18. (1) If a party to a dispute is unable to comply with any time limit stipulated in these Regulations, that party may, prior to the lapse of the stipulated time period request an extension of time from the Authority not exceeding a period of seven days or a further period agreed by the Authority upon good cause shown.

(2) The Authority must respond to the request for condonation as soon as practicable, and may in its sole discretion, taking into account factors such as the nature of the proceeding and the reasons for non-compliance with any stipulated time period, grant or deny such request.

(3) Subject to the sole discretion of the Authority, requests for the extension of any time period submitted to the Authority outside any stipulated time period referred to in subregulation (1) may only be considered if valid reasons are provided for the late request.

(4) Notwithstanding subregulation (1), if the Authority grants the request for condonation, the extension of time may not exceed a maximum period of 14 days calculated from the original stipulated time period.

Communications regarding dispute

19. No person may communicate with the members of the Board, the Authority's Chief Executive Officer or staff members or consultants of the Authority to discuss the subject matter of any dispute, except as provided for herein.

Record of proceedings

20. (1) The Authority must in the most appropriate format maintain all documents to a dispute that the Authority considers relevant.

(2) Except for information regarded as confidential by the Authority in terms of section 28 of the Act, any person may at the head offices of the Authority during normal business hours examine the contents of a file relating to a dispute and may make copies upon payment of a fee determined by the Authority.

(3) If considered practical the Authority may keep electronic copies of the contents of a file relating to a dispute on its official website for free download.

(4) Information regarded as confidential by the Authority in terms of section 28 of the Act may not be made available to any person except to a person who has a legal entitlement thereto and to staff members of the Authority entitled by virtue of their employment to access such information.

Publication of determinations

21. (1) After finalising a dispute, the Authority must inform the submitting party and the respondent of its decision and deliver a copy of the determination to them.

(2) The Authority must at its head office and if practicable, on its website maintain a public register of all its determinations relating to disputes and keep copies of all such determinations.

(3) Any person may during normal business hours examine the public register and determinations referred to in subregulation (2) at the head office of the Authority and may request copies of any determination upon payment of a fee determined by the Authority, or, if such determination is available on the Authority's website copies thereof may download it free of charge.

Reconsideration

22. (1) The Authority may in terms of section 31 of the Act reconsider any decision or order made in terms of these Regulations, within 90 calendar days from the date of making that decision or issuing that order.

(2) Any person (hereinafter "the requesting party") may within 15 days of receiving any decision or order made by the Authority request the Authority in writing to reconsider decision or order subject to the following:

- (a) The requesting party must comprehensively complete the Reconsideration Form (Form C hereto) and submit that form to the Authority within 30 days from date of receipt of the Authority's decision or order.
- (b) The Authority must within three days of receipt of the Reconsideration Form determine whether there are grounds for reconsideration.
- (c) Where there are no valid grounds for reconsideration, the Authority must forthwith notify the requesting party of its decision and close the file pertaining to the dispute.
- (d) Where the Authority considers that the request for reconsideration should be heard, the Authority must provide a copy of the Reconsideration Form to any party with a direct or substantial interest in the matter and simultaneously notify the requesting party of its decision within 7 days from the lapse of the period referred to in paragraph (b).
- (e) A party with a direct or substantial interest referred to in paragraph (d) must deliver a response in writing to the request for reconsideration within a period of 14 days of receipt of the Reconsideration Form.
- (f) Upon receipt of the response referred to in paragraph (e), the Authority must deliver that response to the requesting party and afford that party 14 days from receipt of the response to reply thereto.
- (g) The Authority must thereafter, subject to subregulation (3), make a determination on whether or not to reconsider its decision or order.

(3) The Authority may publish its determination on reconsideration without further submissions having been received, or it may provide an opportunity to the public to provide further written or oral submissions, prior to making a determination contemplated in subregulation (2)(g), in a manner stated by the Authority.

FORM A
COMPLAINT FORM (REGULATION 4(1))

In terms of regulation 4(1) of the Regulations Regarding Adjudication of Disputes, a complaint must be submitted on this form, after the respondent has been given fourteen (14) days to first resolve the matter.

After completing this form, sign it and return it to the Authority, as required by the Regulations Regarding Adjudication of Disputes.

Was this complaint first submitted to Respondent? _____

If yes, on what date was it submitted to Respondent? _____

If not, please submit the substance of the complaint to the Respondent and if after fourteen (14) days, the Respondent has not adequately resolved the matter, you may submit it to the Authority. Alternatively, show good cause why the substance of the Complaint was not first submitted to the Respondent.

A. COMPLAINANT

Complainant	
Physical Address	
Postal Address	
Telephone number(s)	
Facsimile number	
Electronic mail address (email address)	

B. CONTACT PERSON (IF DIFFERENT FROM COMPLAINANT)

Contact Person	
Physical Address	
Postal Address	
Telephone number(s)	
Facsimile number	
Electronic mail address (email address)	

C. RESPONDENT

Respondent	
Physical Address	
Postal Address	
Telephone number(s)	
Facsimile number	
Electronic mail address (es)	

D. COMPLAINT

Provide an accurate and concise statement of the facts giving rise to the complaint and demonstrate why in your view the Respondent acted wrongly (use a separate sheet if necessary).

E. RELIEF SOUGHT

Provide a clear and concise statement of the specific relief or remedy sought

F. ANY OTHER INFORMATION

Provide any other relevant information.

Signed by _____ at _____ in his/her capacity as _____ duly authorized and warranting such authority and warranting that the information provided herein is true and correct, on the _____ day of _____ 20 _____.

Signature

ACKNOWLEDGEMENT OF RECEIPT BY CRAN:

1.	Name:	
2.	Date:	
3.	Place:	
4.	Signature:	

FORM B
REQUEST FOR ADJUDICATION FORM (REGULATION 4(2))

In terms of regulation 4(2) of the Regulations Regarding Adjudication of Disputes, a complaint must be submitted on this form, after the respondent has been given fourteen (14) days to first resolve the matter.

After completing this form, sign it and return it to the Authority, as required by the Regulations Regarding Adjudication of Disputes.

What steps, if any were taken by the Parties to resolve this matter?

A. PARTY SUBMITTING REQUEST FOR ADJUDICATION

Name of service provider	
Physical Address	
Postal Address	
Telephone number(s)	
Facsimile number	
Electronic mail address (email address)	

B. CONTACT PERSON AT PERSON SUBMITTING THE REQUEST

Contact Person	
Physical Address	
Postal Address	
Telephone number(s)	
Facsimile number	
Electronic mail address (email address)	

C. RESPONDENT

Respondent	
Physical Address	
Postal Address	
Telephone number(s)	
Facsimile number	
Electronic mail address (es)	

D. SUBJECT-MATTER OF REQUEST FOR ADJUDICATION

Provide an accurate and concise statement of the facts giving rise to the request for adjudication (use a separate sheet if necessary).

E. RELIEF SOUGHT

Provide a clear and concise statement of the specific relief or remedy sought

F. ANY OTHER INFORMATION

Provide any other relevant information.

Signed by _____ at _____ in
his/her capacity as _____ duly authorized and
warranting such authority and warranting that the information provided herein is true and correct, on
the _____ day of _____ 20 _____.

Signature

ACKNOWLEDGEMENT OF RECEIPT BY CRAN:

1.	Name:	
2.	Date:	
3.	Place:	
4.	Signature:	

FORM C
RECONSIDERATION FORM (REGULATION 22(2))

In terms of regulation 22 of the Regulations regarding Procedures for Adjudication of Disputes, applications for reconsideration must be submitted on this form within thirty (30) days from date of receipt of the Authority's decision.

A. APPLICANT

APPLICANT: _____
 Physical Address: _____
 Postal Address: _____
 Telephone number(s): _____
 Facsimile number(s): _____
 Electronic mail address(es): _____

B. CONTACT PERSON (IF DIFFERENT FROM APPLICANT)

Contact Person: _____
 Physical Address: _____
 Postal Address: _____
 Telephone number(s): _____
 Facsimile number(s): _____
 Electronic mail address(es): _____

C. RESPONDENT

Respondent: _____
 Contact Person: _____
 Physical Address: _____
 Postal Address: _____
 Telephone number(s): _____
 Facsimile number(s): _____
 Electronic mail address(es): _____

D. SUMMARY OF GROUNDS FOR RECONSIDERATION

Provide an accurate and concise statement of the grounds illustrating why the Authority should reconsider its decision.

E. RELIEF SOUGHT

Provide a clear and concise statement of the specific relief or remedy sought.

F. LIST OF DOCUMENTS SUPPORTING REQUEST FOR RECONSIDERATION

Provide a detailed list of the documents you wish to use in support of your request for reconsideration. Please further ensure that the listed documents are attached to this form.

G. ANY OTHER INFORMATION

Provide any other relevant information.

Signed by _____ at _____ in his/her/its capacity as _____, duly authorised and warranting such authority and warranting that the information provided herein is true and correct, on the _____ day of _____, 20__.

 Signature
ACKNOWLEDGEMENT OF RECEIPT BY CRAN:

1.	Name:	
2.	Date:	
3.	Place:	
4.	Signature:	
