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ELECTRONIC AND POSTAL COMMUNICATIONS ACT
(CAP.306)

REGULATIONS

(Made under section 165)

THE ELECTRONIC AND POSTAL COMMUNICATIONS (LICENSING)
REGULATIONS, 2018

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ELECTRONIC AND POSTAL COMMUNICATIONS ACT
(CAP.306)

REGULATIONS

(Made under section 165)

THE ELECTRONIC AND POSTAL COMMUNICATIONS (LICENSING)
REGULATIONS, 2018

PART I
PRELIMINARY PROVISIONS

- Citation 1. These Regulations may be cited as the Electronic and Postal Communications (Licensing) Regulations, 2018.
- Application 2. These Regulations shall apply to the following types of licences:-
- (a) network facilities licences;
 - (b) network services licences;
 - (c) content services licences;
 - (d) application services licences;
 - (e) postal and courier services licences;
 - (f) installation and maintenance of electronic communication equipment;
 - (g) importation and distribution of electronic communication equipment;
 - (h) selling of electronic communication equipment;
 - (i) V-SAT;
 - (j) the usage of scarce resources in relation to:-
 - (i) spectrum usage licence; and
 - (ii) electronic communication numbering and addresses; and
 - (k) channel aggregator;

(l) any other licences as may be determined by the Authority.

Interpre-tation

3. In these Regulations, unless the context otherwise requires:-

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“Act” means the Electronic and Postal Communications Act;

“active SIM card” means a SIM card that is enabled to initiate traffic;

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“Authority” means the Tanzania Communications Regulatory Authority established under the Tanzania Communications Regulatory Authority Act;

“application services” means a service provided by means of one or more network services but does not include service provided solely on the customer side of the network boundary;

“application services licence” means an electronic communications licence entitling the holder to provide one or more application services;

“application services licensee” means a holder of an application service licence;

“closed user group” means a type of service that allows a person to provide communication services for private use;

“channel aggregator” means any entity licensed to package individual licensed or authorized channels into a specific basket of channels for distribution by a multiplex operator;

“communication services” means any services the purpose or effect of which is to enable or facilitate electronic or postal communication;

“commercial content services licensee” means an entity authorized to provide radio or television broadcasting free to air or content services by subscription;

“community content services licensee” means an entity authorised to provide radio or television broadcasting services, in a specific community, operated and owned by the community on non-profit basis;

- “consumer” means any person who uses electronic communications or postal product or services;
- “customer” means any person who obtains or seeks to obtain goods or services of any kind from a person undertaking activities pursuant to the Act and includes subscribers;
- “dealer” means a person who acts as an agent of a licensee under the Act, and facilitates the provision of goods or services for the licensee;
- “content” means information in the form of speech or other sound, data, text or images whether still or moving, except where transmitted in private communications;
- “content services licensee” means a holder of a content services licence;
- “construction permit” a permit issued by the Authority to enable a successful applicant to construct broadcasting network within the specified timeframe and in accordance with prescribed specifications;
- “courier services” means specialized services for the speedy collection, conveyance and delivery of postal articles other than letter;
- “distribution of electronic communication equipment licence” means a licence entitling the holder to sell electronic communication equipment at wholesale;
- “district market segment” means administrative districts in the United Republic of Tanzania;
- “electronic communication equipment” means an equipment radio communication or, as appropriate, the communication of information in the form of speech or other sound data, text, visual images by means of guided or unguided electromagnetic energy;
- “emergency communication services” means calls or messaging services using shortcodes for the purposes relating to human safety and life or those established for rescue operations in the event of any disaster;
- “*force majeure*” means an event which is beyond the reasonable control of a licensee and which makes a licensee’s performance of its obligations under the licence impossible; such events may include but are not limited to

fires, floods, epidemics, quarantine restrictions, strikes wars or revolutions;

“gross annual turn-over means annual income earned by the licensee during the year under review;

“importation of electronic communication equipment licence” means a licence entitling the holder to import electronic communication equipment for business purposes;

“inactive SIM card” means a SIM card that has been barred from sending or receiving traffic;

“installation and maintenance of electronic communication equipment licence” means a licence entitling the holder to construct, install and maintain electronic communication equipment;

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“licence” means a licence issued under the Act;

“licensee” means a person licensed by the Authority to provide any electronic communication, postal or courier services;

“Minister” means the Minister responsible for communications except in relation to content and broadcasting services;

“multiplex” means a; digital transmission channel which combines program material and other data in a digital form for transmission via a frequency channel;

“network facilities” means any element, or combination of elements of physical infrastructure used principally for, or in connection with the provision of one or more network services, but not including customer premise equipment;

“network facilities licence” means an electronic communications licence entitling the holder to construct, maintain, own and make available one or more network facilities;

“network facilities licensee” means a holder of a network facilities licence;

“network services” means a service for the carrying of information in the form of speech or other sound, data, text or images, by means of guided or unguided electromagnetic energy but does not include services provided solely on the customer side of the network boundary;

“network services licence” means an electronic communications

licence entitling the holder to provide one or more network services;

“network services licensee” means a holder of a network service licence;

“one point of presence” means transmitting site with a broadcasting transmitter not exceeding 2KW;

“public content services provider” or “public broadcaster” means an entity which provides radio, television and other electronic media outlets whose primary mission is broadcasting for public service, operating on funding from the government, donors aiming to provide coverage of interests for which there are missing or small markets, and on topics of social benefit to the public that are otherwise not be broadcast by commercial broadcasters;

“public emergency” means earthquake, epidemic, war, famine, state of emergency or any other event declared as such by the Government;

“regional market segment” means administrative regions in the United Republic of Tanzania;

“royalty” means charges for a right of using a certain licensed service;

“selling of electronic communication equipment licence” means a licence entitling the holder to sell electronic communication equipment on retail basis;

“support services” means a service which consists of the provisions of management services to a subscription broadcasting service which may include, subscriber management support, subscription fee collection, call centres, sales and marketing and technical and installation;

“traffic” means voice calls or data communication between subscribers;

“virtual electronic communication services” means network and application services provided by a licensee who does not own any network facilities;

“very small aperture terminal (two-way or one-way uplink)” or in its acronym “VSAT” means satellite ground station satellite which operate in Ku-band and C-band

frequencies with antenna sizes ranging from 75cm to 1.8m for Ku-band and 1.8m to 2.4m for C-band with data rates ranging from 56Kbps up to 4Mbps;

“VSAT licence” means a licence entitling the holder to use very small aperture terminals.

PART II

PROVISIONS RELATING TO LICENCING

Application for licence

4.-(1) Any person who wishes to apply for a licence prescribed under regulation 2 shall fill in an application form as prescribed by the Authority and pay fees as set out in the First Schedule to these Regulations.

(2) The application form referred to under sub-regulation (1) shall be accompanied by such documents or information as may be relevant to the type of a licence applied.

(3) Save for government institution, entity or agency, where a person applies for two or more shortcodes, he shall be required to apply to the Authority for an application services licence.

Failure to submit documents and make presentation

5.-(1) Where an applicant fails to:-

- (a) submit documents or information as required under regulation 4 (2); or
- (b) appear on a date scheduled by the Authority for presentation of business plan without any prior information.

the Authority may reject the application and inform the applicant in writing.

(2) Where an application is rejected under this regulation, the application fees shall not be refunded.

Physical address of licensee

6.-(1) An applicant of a licence shall be required to have a physical address in a place within the United Republic and shall provide particulars of such address to the Authority.

(2) A licensee shall, prior to change of office, submit to the Authority a notice of the change of physical address.

Construction
Permit for
broadcasting
networks

7.-(1) Prior to issuance of a content services licence, the Authority shall issue construction permit to successful applicant for the following:-

- (a) transmission sites;
- (b) studio;
- (c) multiplex head-ends;
- (d) uplink earth stations; and
- (e) any broadcasting services infrastructure as may be determined by the Authority.

(2) The successful applicant shall be required to pay fees as prescribed in the First Schedule to these Regulations for the construction permit or extension of the permit.

(3) The Construction Permit shall be valid for one year and upon completion of construction of the station, the Authority will conduct an inspection of the facilities:-

- (a) upon approval by the Authority, the station shall be granted one month test transmission whereby no formal radio and television programmes shall be allowed except music; and
- (b) upon satisfactory transmission test the station shall be granted operating licence.

(4) In the event that the applicant is not able to start and accomplish construction within the given period, the Authority shall extend or cancel the permit upon receiving written representations from the applicant.

(5) The construction permit holder shall provide written explanations to the Authority three months before the expiry date of the permit, giving reasons for not accomplishing the construction within the period indicated in the permit.

(6) Upon receiving written explanations the Authority shall conduct due diligence to establish whether the reasons given are valid and may reject and cancel the permit or accept and extend the permit to a maximum period of twelve months without further extension.

- Category and duration of licence 8. The Authority may issue a licence for duration and market segment as provided in the First Schedule to these Regulations.
- Service Area 9.-(1) The service area for Regional Network Facilities, Network Services, Application Services Licence shall be a maximum of ten regions.
- (2) The service area for District Network facilities, Network Services and Application Services Licence, shall be a maximum of three districts.
- (3) The service area for Regional Content Service (Radio Broadcasting) Licence shall be a maximum of ten points of presence.
- (4) The service area for District Content Services Licence shall be a maximum of three points of presence.
- Payment of fees 10.-(1) A licensee shall pay to the Authority regulatory fees of such amount as provided for in the First Schedule to these Regulations,
- (2) Any licensee who delays in paying any fee for more than thirty days shall be charged an interest of fifteen percent of the outstanding fee for each month of delay.
- (3) The Authority shall notify the successful applicant to pay initial licence fee before the grant of licence.
- (4) Where, the applicant fails to pay the initial fee within one month from the date of the notification, the Authority shall reject the application.
- (5) The Authority may extend the period of paying initial fee upon request by the applicant, and upon showing good cause for such extension, save that, the Authority shall not grant any further extension.
- (6) Where a licensee has a national content service licence and has a national coverage, the Authority shall, after satisfying itself on the coverage, provide incentive to the licensee as set out in the First Schedule to these Regulations.
- (6) Where the fee in the First Schedule is prescribed in united states dollar, the licensee may pay its equivalent in Tanzanian shillings.

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| Requirement to provide and maintain information | <p>11.-(1) A licensee shall provide and maintain such information as will enable the Authority to carry out its functions under the Act in such manner and at such times as the Authority may request.</p> <p>(2) The Authority shall have the right to request the licensee to submit periodic reports, statistics, financial data, estimated returns, other data or any additional information with a view to effectively supervise and enforce the terms of the licence.</p> <p>(3) The Authority shall, in making any request for information, ensure that no undue burden is imposed on the licensee in procuring and furnishing such information.</p> |
| Indemnity | <p>12. A licensee shall indemnify the Authority against any claims of proceedings arising from any breach or failings on the part of the licensee.</p> |
| Safety measures | <p>13. A licensee shall, in respect of services operated, maintained or offered under his licence, take all proper and adequate safety measures to safeguard life or property, including exposure to any electrical emission or radiations emanating from the use of equipment or installation from such operations.</p> |
| Transfer or assignment of rights or obligations | <p>14.-(1) A licensee shall not assign, transfer, dispose of any rights or obligations or in any manner alienate the license or any part thereof without the prior written consent of the Authority.</p> <p>(2) Notwithstanding the provision of sub-regulation (1), the licensee shall have full discretion to appoint agents or sub-contractors to enable it to properly and efficiently exercise its rights and carry out its obligations in terms of the licence.</p> |
| Sanctions | <p>15. Where the licensee contravenes this Act or breaches the conditions of the licence, the Authority may impose any or all of the following sanctions:-</p> <ul style="list-style-type: none">(a) order public apology by the licensee, at his own cost in a newspaper of wide circulation in the area of service that shall run for two consecutive days;(b) payment of a fine or compensation to the injured party as may be prescribed by the relevant laws; or |

(c) any other sanction as may be appropriate in accordance with the relevant laws and regulations in force in Tanzania.

Cancellation and revocation of a class licence

16.-(1) The Authority reserves the right to revoke or cancel a class licence where the terms and conditions of a class licence are breached.

(2) Notwithstanding the provision of sub regulation (1), the Authority shall issue a written notice of thirty days to the licensee prior to the revocation of the class licence.

Service of notice

17. Where the Authority is satisfied that a licensee has breached or is breaching this Act or conditions of licence, it shall serve a notice in writing to the licensee requiring to remedy the breach within the period specified in the notice.

Invalidity not to affect enforceability

18. Where any of the conditions of licence issued to any licensee becomes invalid or unenforceable, that fact itself shall not affect the validity or enforceability of the other conditions of the licence.

Contradiction with other Regulations

19. Where any provision of these Regulations is incompatible with any provision of Regulations issued in relation to a specific licensed service, the provisions of the specific licensed service shall prevail.

PART III

SPECIFIC CONDITIONS FOR INDIVIDUAL LICENCES

Applications for licenses

20.-(1) The Authority shall, from time to time, through a competitive process invite applications for Network Facilities, Network Services and Content Services Licences which require spectrum.

(2) An applicant for individual licence shall submit to the Authority a business plan together with other documents as provided for under the Act.

Applicant's financial information

21. An applicant for individual licence shall submit:-

(a) a bank statement from a bank for the company or its shareholders for the past six months prior to

submission of the application as a proof of financial capability;

- (b) proof that the minimum paid up capital of the company is not less than fifty percent of the authorized share capital;
- (c) detailed information on shareholding structure including relationship with holding or subsidiary company clearly indicating the ownership or shareholders of the later;
- (d) notarized memorandum of understanding or agreement between financiers whether domestic or foreign and the applicant.

Shareholding requirements

22.-(1) An applicant shall, when applying for a licence, submit the following:-

- (a) in the case of network facilities licence, network services licence, application services licence, memorandum and articles of associations with a minimum of twenty five percent of its authorized share capital as an ongoing obligation throughout the life of its licence;
- (b) in the case of content services licence memorandum and articles of associations with a minimum of fifty one percent local (Tanzanian citizen) shares ownership.

(2) An applicant of network facilities licence or network services licence shall be required to offer shares to the public and subsequently list its shares in accordance with the requirements of the provisions of Section 26 of the Act.

Change of shareholding structure

23.-(1) An applicant or Licensee shall not change its shareholding structure without the approval of the Authority.

(2) A network facilities and network services licensee that wishes to change its shareholding structure or transfer shares shall comply with the provisions of Section 26 of the Act.

(3) An application for change of shareholding or transfer of shares shall be submitted to the Authority with:-

- (a) a letter justifying the reasons for the changes of shareholders or transfer of shares;

- (b) a board of director's resolution in support of the application signed by all directors;
- (c) payment of fee for change of shareholders or transfer of shares; and
- (d) identity and details of shareholders to whom shares are to be transferred.

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(4) Upon being approved by the Authority the licensee shall submit the application for change of shareholders or transfer of shares to the Registrar of Companies in accordance with the Companies Act.

(5) Upon obtaining the Registrar of companies' approval, the Applicant shall submit to the Authority transfer as prescribed in the First Schedule. documents including copies of share certificates of its shareholders for the Authority to effect the changes.

(6) Where transfer of shares leads to transfer of licence, the licensee shall pay to the Authority transfer fee as prescribed in Table 10 of the First Schedule.

Change of
name

24.-(1) A licensee shall be required to obtain the Authority's prior written consent, which shall not be unreasonably withheld, before changing its name at the Registrar of companies.

(2) A licensee may apply for change of its name by filling in the form for change of name as prescribed in the Fourth Schedule and submit them to the Authority for its approval.

(3) Application for change of name shall be accompanied by:-

- (a) a formal letter justifying the reasons for the change of name;
- (b) special board resolution for the change of name; and
- (c) proof of payment of fee for change of name as prescribed in these Regulations.

(4) Upon changing its name with the Registrar of companies, the applicant shall submit a certificate for change of name for the Authority to effect the change of name in the licence.

Requirements for network service interoperability

25. Any applicant for network services licence shall ensure that there is:-

- (a) interoperability and compatibility of the network service system with other network services systems; and
- (b) availability of access to emergency services.

Requirements for postal and courier services

26. An applicant for postal and courier services shall submit to the Authority the following information:-

- (a) projected delivery standards;
- (b) means of transport available for providing the services;
- (c) availability of the secure and clean storage facilities;
- (d) availability of professional postal and courier staff in the operational and management team; and
- (e) availability of the security measure to detect harmful and dangerous goods.

Categories of content services licence

27.-(1) There shall be three categories of content services for free to air licences as follows:-

- (a) public broadcasting services;
- (b) commercial broadcasting services; and
- (c) community broadcasting services.

(2) There shall be categories of content services licence for subscription services as follows:-

- (a) Channel aggregation;
- (b) Support Services (terrestrial);
- (c) Support Services (satellite);
- (d) Subscription broadcasting (terrestrial);
- (e) Subscription broadcasting (other technologies);
- (f) Subscription broadcasting (cable).

(3) An applicant for a content services licence for Free to Air shall submit to the Authority:-

- (a) a programme line up; and
- (b) editorial guideline.

(4) An applicant for a content services licence for subscription services (channel aggregator) shall submit to the Authority proof of rights clearance from channel owners.

Upgrading of content services (radio broadcasting) licence

28. A content services (radio broadcasting) licensee may apply for upgrading of its licence through invitation to apply as may be issued by the Authority.

Upgrading of content services (television broadcasting) and application services licensees

29. A content services (television broadcasting) licensee or application services licensee may apply for upgrading of its licence to the Authority upon fulfilling the following conditions:-

- (a) being operational in business for at least twelve months from the date of issue of licence;
- (b) submission of business and technical plans as may be directed by the authority; and
- (c) not being in breach of licence conditions.

Interruption to the licensed services

30.-(1) A licensee shall not intentionally:-

- (a) interrupt the operation of the licensed systems in the normal course of business; or
- (b) suspend the provision of any type of licensed services, without having first notified the Authority in writing and having provided reasonable notice to persons affected or likely to be affected by such interruption or suspension.

(2) The provision of sub-regulation (1) shall not apply where the interruption or suspension is due to:-

- (a) an emergency;
- (b) an event of *force majeure*; or
- (c) services supplied by the licensee to a person whose electronic telecommunication system is endangering the integrity of the licensed system.

Interoperability and technical standards

31.-(1) Every licensee shall comply with any Regulations, technical specifications and Rules issued by the Authority in order to ensure interoperability of the licensed services and licensed systems with electronic communications services and systems provided by other operators.

(2) A licensee shall ensure that all the equipment comprised in, connected to the licensed systems and used in the provision of the licensed services is of the type approved by the Authority.

Training

32. A licensee shall take all reasonable steps to ensure that Tanzanian nationals acquire the necessary skills and knowledge for effective discharge of their duties under licensee's operations.

Privacy and confidentiality

33.-(1) A licensee shall use all reasonable measures to ensure non-disclosure of confidential information obtained in the course of its business from any person to whom it provides the licensed services.

(2) A licensee shall establish and implement reasonable procedures for maintaining confidentiality of such information subject to any requirement under the law; and

(3) A licensee shall maintain sufficient information in its confidentiality procedures to satisfy the Authority, on request, that the requirements of sub regulation (1) and (2) are being met.

Restriction to the use of apparatus

34. A licensee shall not use or allow to be used any apparatus comprised in the licensed systems which is capable of recording, silently monitoring, or intercepting into live speech telephone calls unless it is in accordance with the requirement of the law.

Accounting requirements

35.-(1) A licensee shall submit, on quarterly basis income statements to the Authority within fourteen days after the end of each quarter.

(2) Within six months after the end of each financial year, the licensee shall submit to the Authority annual financial reports audited by independent auditors.

(3) In the cause of submission of the licensee's financial report, the licensee shall disclose the description and amount in respect of each category of regulatory fees and expenses such as

frequency, numbering, application fees, initial licence fees, annual licence fees, royalty and any other fees as the Authority may require.

(4) The disclosure referred to in sub regulation (3) shall be made in the notes supporting the financial statements.

(5) Notwithstanding the financial requirements, the licensee shall submit a reconciliation statement of regulatory fee obligations and settlement as at the date of statement of financial position which shall be reconciled to the audited financial statements.

(6) Without prejudice to the preceding provisions, the Authority may require the licensee to submit other accounting information or clarifications it may require in order to effectively supervise and enforce the terms of the licence.

(7) The licensee shall provide such information as provided for under sub regulation (4) within a reasonable period as may be specified by the Authority.

Provision of services

36.-(1) A licensee shall provide services within a maximum period of twelve months from the date of issuance of the licence.

(2) A licensee who fails to provide services extension within the period specified in sub-regulation (1), shall submit to the Authority reasons for failure to provide services and the Authority may consider extension of the period to provide services for a maximum period of twelve months.

(3) Where a licensee fails to provide services after the expiry of extended period, the Authority shall revoke the licence.

(4) A licensee shall provide services in accordance with the applicable recommendations of the International Telecommunication Union, other international standardisation bodies and any other relevant laws or Regulations applicable in Tanzania.

Network or system modification

37.-(1) A licensee shall inform the Authority in advance of any substantive change or modification of the licensed network or system which may result in a substantial service interruption.

(2) A licensee shall ensure that any substantive change does not interfere with other existing communication networks or systems.

Performance
guarantee

38.-(1) The Authority may require an applicant for network facilities, network services, subscription contents services or support services for subscription contents services, to furnish a performance bank guarantee from a bank registered in the United Republic and when the Authority so requires, the licensee shall comply with the performance bank guarantee requirements.

(2) In any case where a performance bank guarantee is required, the licensee shall furnish the bank guarantee in the form prescribed in the Second Schedule to these Regulations.

(3) The performance bank guarantee shall be furnished within thirty days from the date of notification by the Authority of the requirement of the performance bank guarantee.

Renewal of
licence

39.-(1) A Licensee whose licence is about to expire and intends to continue with provision of service, shall apply for renewal by filling a Renewal Form prescribed in the Third Schedule to these Regulations.

(2) The Licensee shall submit the Renewal Form together with the following documents to the Authority:-

- (a) a copy of receipt for latest annual licence fees or royalty payment;
- (b) a copy of the expiring Licence; and
- (c) certified copies of memorandum and articles of association, share certificates and evidence from the Registrar of companies indicating the shareholding change if any.

(2) A Licensee of an Individual Licence shall apply for renewal 12 months before expiration of the licence.

(3) A Licensee of a class Licence shall be required to apply for renewal 3 months before expiration of the licence.

(4) Upon receipt of an application under this regulation, the Authority shall ascertain the Licensee's compliance to the law and licence conditions, through a compliance form filed by the licensee or an inspection report.

(5) The Authority shall renew the licence subject to fulfillment of licence conditions.

(6) A licensee shall pay to the Authority application fee, renewal fee and annual fee as provided for in the First Schedule to these Regulations.

PART IV
CLASS LICENCE

- | | |
|--|--|
| Types of class licences | 40. The Authority may issue class licences for the following services:- <ul style="list-style-type: none">(a) importation and distribution of electronic communications equipment;(b) installation and maintenance of electronic communications equipment;(c) Sale of electronic communications equipment;(d) Very Small Aperture Terminal (VSAT);(e) Radio communications stations;(f) Global Maritime Distress Safety Systems (GMDSS);(g) Electronic numbering resources;(h) Content Services (Subscription Broadcasting-Cable Television) Licence;(i) Application Services (with numbers only);(j) Postal and courier services licences; and(k) any other licences as may be determined by the Authority. |
| Licensing procedure for installation and maintenance | 41. A licence for Installation and Maintenance shall be issued to persons wishing to provide installation and maintenance services of electronic communication equipment for Network Services, Network Facilities and Content Services Licences. |
| Installation and maintenance of electronic communication equipment | 42. (1) An applicant for installation and maintenance of electronic communications equipment shall be required to:- <ul style="list-style-type: none">(a) be a registered company or firm;(b) provide proof of qualified staff establishment and manning level. <p>(2) Pursuant to sub regulation (1), the Authority shall, within twenty one days from the date of application, inspect and evaluate the office and workshop premises of the applicant for installation and maintenance licence.</p> |

Electronic and Postal Communications (Licensing)

GN. No. 57 (contd...)

Importation,
distribution or
selling of
electronic
communication
equipment

43.-(1) Every importer or distributor of electronic communications equipment shall ensure that equipment imported or distributed to sellers are of acceptable quality and of the type approved by the Authority.

(2) The importer, distributor or seller of electronic communications equipment which use frequency spectrum shall ensure that customers have frequency licences from the Authority.

(3) Without prejudice to the generality of the provisions of these Regulations, any person may import in the country any type of approved electronic communication equipment solely for personal use.

Warranty

44. The importer, distributor or seller of electronic communications equipment shall not import for sale or, distribute any equipment without warranty of not less than twelve months.

Permission to
inspect

45. An authorized officer of the Authority shall at all reasonable times enter any premises on which a holder of a class licence or his agent has installed or is installing an electronic communication system or equipment to inspect the equipment or system installation and witness any associated tests.

Offences and
penalty

46. (1) Any person who contravenes the provisions of these Regulation commits an offence and on conviction shall be liable to a fine not less than Tanzania shillings five million shillings or to imprisonment for a period not less twelve months or to both.

(2) Notwithstanding sub regulation (1), where a person commits an offence under these Regulations, the Director General may, where such person admits in writing compound such offence by collecting from that person a sum of money not exceeding the amount of the fine prescribed for the offence.

Transitional
provisions

47.-(1) Notwithstanding the provisions of these Regulations, all licences issued before coming into force of these Regulations shall remain in force in their respective categories in accordance with the terms and conditions of such licences.

(2) Upon expiration of the term of the licence, the licensee shall be entitled to apply for renewal of the licence in the relevant category prescribed in these Regulations, but shall have no automatic right of renewal of such licence.

PART V
GENERAL PROVISIONS

Display of
Licence

48. Any person issued with a licence by the Authority shall be required to display the licence at their respective business premises.

Access for
emergency
services

49.-(1) All Network services licensees shall provide free access to emergency services as defined in the National Numbering Plan issued by the Authority or as may be otherwise directed by the Authority.

(2) A licensee may provide access to value added services for emergency, safety and assistance service in accordance with the laws of the United Republic as well as with the applicable international standards and treaties.

(3) The Minister responsible for content and broadcasting services or any other person authorized by the Minister may, by order under his hand, require any content services licensee to broadcast forthwith or within or at any time and in any manner specified, any announcement which the Minister deems to be in the interest of the national security or of public interest.

(4) Where the Minister is of the opinion that the broadcasting of any matter or matter of any class or character would be contrary to the national security or public interest, he may, by notice in writing, delivered at the principal office of the licensee prohibit the broadcasting of such matter or matter of such class or character and the licensee shall comply with any such notice.

(5) In the event of public emergency crisis the Authority may require the licensee to provide the necessary services to the Government giving priority to the support activities required to overcome the emergency.

(6) Within three months of the issuance of the licence, the licensee shall submit to the Authority its plan for the procedures and operations which the licensee shall follow in the event of any such emergency and shall update the emergency plan upon request by the Authority.

(7) In the event that the emergency or crisis is related to matters concerning national security, the licensee shall coordinate with the relevant authority indicated by the Authority and shall implement the emergency plan as far as reasonably practicable in accordance with the instructions as may be given by the Authority.

Revocation
GN. No. 430 of
2011

50. The Electronic and Postal Communications (Licensing) Regulations, 2011 are hereby revoked.

Electronic and Postal Communications (Licensing)

GN. No. 57 (contd...)

FIRST SCHEDULE

(Made under regulations 4, 8, 9,10 and 39)

FIRST SCHEDULE

LICENCE CATEGORIES, FEES AND DURATION

(Made under regulations 4 and 8)

1. A: NETWORK FACILITIES

| Market Segments | Type of Facility | Applica tion Fee (USD) | Initial Licence Fee (USD) | Renewa l Licence Fee (USD) | Royalty Fee (Gross Annual Turnover i.e. “GAT”) | Duration of Licence (Years) | Type of Licence |
|--------------------|--|------------------------------|------------------------------------|--|--|--------------------------------------|--------------------|
| Interna- tional | Gateway facilities such as Earth Satellite Station, VSAT, Submarine cable, Switching Centres, Nodes and Servers, Multiplexer and others. | 10,000 | 200,000 | 300,000 | 1% of GAT | 25 | Individual |
| National | Switching, transmissions and access facilities such as VSAT; Submarine | 10,000 | 400,000 | 500,000 | 1% of GAT or USD 3,000 whichever is greater | 25 | Individual |

Electronic and Postal Communications (Licensing)

GN. No. 57 (contd...)

| | | | | | | | |
|----------|---|-------|--------|--------|---|----|------------|
| Regional | cable, Microwave links; Fixed links, Switching Centres, Laid cables; Fibre | 1,000 | 15,000 | 17,250 | 1% of GAT or USD 2,500 whichever is greater | 25 | Individual |
| District | Optic, Exchange, Nodes, Servers, Towers, Ducts, Transmitters and Links, Multiplexer and others. | 100 | 3,000 | 3,450 | 1% of GAT or USD 1,000 whichever is greater | 25 | Individual |

2. NETWORK SERVICES

| Market Segments | Type of Service | Application Fee (US \$) | Initial Licence Fee (US \$) | Renewal Licence Fee (US \$) | Royalty Fee (Gross Annual Turnover i.e. "GAT") | Duration of Licence (Years) | Type of Licence |
|-----------------|--|-------------------------|-----------------------------|-----------------------------|--|-----------------------------|-----------------|
| International | A) Electronic communications network operations with the following features: | 10,000 | 300,000 | 400,000 | 1% of GAT | 25 | Individual |
| National | 1. Network access codes 2. Interconnection | 5,000 | 600,000 | 750,000 | 1% of GAT or USD 3,000 whichever is greater | | Individual |

Electronic and Postal Communications (Licensing)

GN. No. 57 (contd...)

| | | | | | | | |
|----------|--|-------|--------|--------|---|----|------------|
| Regional | capabilities B) Virtual Electronic Communi- cation Services | 2,000 | 23,100 | 26,500 | 1% of GAT or USD 2,500 whichever is greater | 10 | Individual |
| District | | 100 | 5,000 | 5,750 | 1% of GAT or USD 1,000 whichever is greater | | Individual |

3. APPLICATION SERVICES

SUB-CATEGORY A: WITH NETWORK FACILITIES AND NETWORK SERVICES
LICENCES

| Market Segments | Type of Service | Applica- tion Fee (US \$) | Initial Licence Fee (US \$) | Renewal Licence Fee (US \$) | Annual Fee (US \$) | Duration of Licence in Years | Type of Licence |
|-----------------|--|---------------------------------|--------------------------------------|--------------------------------------|--|---------------------------------------|--------------------|
| International | To provide international connectivity/bandwidth whether by satellite or submarine or other technologies | 5,000 | 100,000 | 120,000 | 1% of GAT | 10 | Individual |
| National | To provide to the public voice, message, Internet services, Internet Telephony (VoIP), pay phone, Value Added Services, Data services, | 1,000 | 10,000 | 13,500 | 1% of GAT or USD 3,000 Whiche- ver is greater | 10 | Individual |

Electronic and Postal Communications (Licensing)

GN. No. 57 (contd...)

| | | | | | | | |
|----------|--|-----|------|-------|---|---|------------|
| | Tracking services etc | | | | | | |
| Regional | To provide to the public voice, message, Internet services, Internet Telephony | 100 | 1000 | 1,150 | 1% of GAT or USD 2,500 Whichever is greater | 5 | Individual |
| District | (VoIP), pay phone, Value Added Services, Data services, Tracking services etc. | 50 | 200 | 230 | 1% of GAT or USD 1,000 Whichever is greater | | Individual |

SUB-CATEGORY B: WITHOUT NETWORK FACILITIES AND NETWORK SERVICE LICENCES

| Market Segments | Type of Service | Application Fee (US\$) | Initial Licence Fee (US\$) | Renewal Licence Fee (US \$) | Annual Fee (US \$)/Royalty | Duration of Licence in Years | Type of Licence |
|-----------------|--|------------------------|----------------------------|-----------------------------|---|------------------------------|-----------------|
| International | To provide international connectivity/ band width whether by satellite or submarine or other technologies | 5,000 | 100,000 | 115,000 | 1% of GAT | 10 | Individual |
| National | To provide Internet services, pay phone, internet Telephony (VoIP) Data services, Tracking services, financial | 1,000 | 10,000 | 11,500 | 1% of GAT or USD 3,000 Whichever is greater | 5 | Individual |

Electronic and Postal Communications (Licensing)

GN. No. 57 (contd...)

| | | | | | | | |
|-----------------------|--|------|------|-------|--|---|-----------------|
| | services, gaming services, virtual applications | | | | | | |
| Regional | services, virtual application and any other related services. | 200 | 1000 | 1,150 | 1% of GAT or USD 1,500 Whiche ver is greater | | Indivi- dual |
| District | | 50 | 200 | 230 | 1% of GAT or USD 500 Whiche ver is greater | | Indivi- dual |
| National (Private) | Closed User Group | 1000 | 5000 | 5,000 | USD 500 per V-SAT -Urban USD 100 per V-SAT- Rural & underser ved areas | 3 | Class |

SUB-CATEGORY C: APPLICATION SERVICE LICENCE WITH NUMBERS ONLY

| Market Segments | Type of Service | Applica- tion Fee (US \$) | Initial Licence Fee (US \$) | Renewal Licence Fee (US \$) | Annual Licence Fee (US \$) | Duration of Licence in Years | Type of Licence |
|-----------------|--|---------------------------------|-----------------------------------|--------------------------------------|-------------------------------------|------------------------------------|--------------------|
| National | Value added Services using Numbers only | 50 | 500 | 500 | 500 | 3 | Class |

Electronic and Postal Communications (Licensing)

GN. No. 57 (contd...)

4. CONTENT SERVICES LICENCES

SUB CATEGORY 4A: CONTENT BROADCASTING (FREE TO AIR)

| Licence Category | Market segment | Application fees(US \$) | Construction Permit fees (US \$) | Initial Licence Fees (US \$) | Renewal Licence Fees (US \$) | Annual Fees (US \$) | Duration of Licence (Years) | Class of Licence |
|--|----------------|-------------------------|----------------------------------|------------------------------|------------------------------|---------------------|-----------------------------|------------------|
| (I) RADIO BROADCASTING (FREE TO AIR) | | | | | | | | |
| Public | National | NA | | NA | | N/A | NA | Individual |
| Private | National | 2,000 | 500 | 20,000 | 3,000 | 20,000 | 5 | Individual |
| | Regional | 1,000 | 500 | 15,000 | 2,000 | 15,000 | 5 | Individual |
| | District | 1,000 | 500 | 2,000 | 1,500 | 2,000 | 5 | Individual |
| Community | Community | 1,000 | 500 | 700 | 500 | 700 | 5 | Individual |
| (II) TELEVISION BROADCASTING (FREE TO AIR) | | | | | | | | |
| Public | National | NA | | NA | | N/A | NA | Individual |
| Private | National | 5,000 | 500 | 28,000 | 6,000 | 28,000 | 5 | Individual |
| | District | 1,000 | 500 | 4,000 | 1,500 | 4,000 | 5 | Individual |
| Community | Community | 1,000 | 500 | 1,000 | 1,000 | 1,000 | 5 | Individual |

SUB CATEGORY 4B: CONTENT BROADCASTING (AUTHORITY TO BROADCAST)

| Licence Category | Market Segment | Application Fees (US \$) | Initial Licence Fees (US \$) | Renewal Licence Fees (US \$) | Annual licence Fees (US \$) | Duration of License in Years | Class of Licence |
|---|----------------|--------------------------|------------------------------|------------------------------|-----------------------------|------------------------------|------------------|
| Channels Aggregators (Network Facility Licensee and Multiplex) | National | 10,000 | 100,000 | 120,000 | 1% of GAT | 10 | Individual |
| Channel Aggregator (cable) | National** | 1,000 | 1,500 | 1,500 | 2,500 | 3 | Class |
| | Regional** | 200 | 1,000 | 1,000 | 1,000 | 3 | Class |
| | District** | 100 | 300 | 300 | 500 | 3 | Class |

Electronic and Postal Communications (Licensing)

GN. No. 57 (contd...)

| | | | | | | | |
|--|----------|-------|---------|---------|-----------|----|------------|
| Content Services (Other Technologies) | National | 1,000 | 3,000 | 1,500 | 3,000 | 5 | Individual |
| Content Services by Subscription (For Aggregation) | National | 1,000 | 1,500 | 1,500 | 2,500 | 5 | Individual |
| | Regional | 100 | 500 | 500 | 1,000 | 5 | Individual |
| | District | 50 | 250 | 250 | 500 | 5 | Individual |
| Support Services (Satellite) | National | 1,000 | 100,000 | 115,000 | 1% of GAT | 10 | Individual |

CHANNEL AGGREGATOR (CABLE)

District Aggregator** Refers to subscribers from 10 to 1000

Regional Aggregator*** Refers to subscribers from 1001 to 5000

National Aggregator **** Refers to subscribers from 5001 and above

TELEVISION BROADCASTING TERRESTRIAL (Differential Pricing and Motive to Roll Out)

| Class A: @ US \$ 2,000.00 | Class B: @ US \$ 500.00 |
|---------------------------|-------------------------|
| Arusha | Geita |
| Dar es salaam | Kagera |
| Dodoma | Katavi |
| Iringa | Kigoma |
| Kilimanjaro | Lindi |
| Mbeya | Manyara |
| Mwanza | Mara |
| | Morogoro |
| | Mtwara |
| | Njombe |
| | Pwani |
| | Rukwa |
| | Ruvuma |
| | Shinyanga |
| | Simiyu |
| | Singida |
| | Songwe |
| | Tabora |
| | Tanga |
| | Any Other Regions |

Electronic and Postal Communications (Licensing)

GN. No. 57 (contd...)

5. INSTALLATION AND MAINTENANCE, IMPORTATION, DISTRIBUTION AND SELLING OF ELECTRONIC COMMUNICATION EQUIPMENT LICENCES

| S/N | Type of Licence/ Authorization | Market Segment | Application Fee (US \$) | Renewal Licence Fee (US \$) | Annual licence Fee (US \$) | Licence Duration Years |
|-----|--------------------------------|----------------|-------------------------|-----------------------------|----------------------------|------------------------|
| 1. | Installation and Maintenance | Class A | 25 | 25 | 1,000 | 3 |
| | | Class B | 25 | 25 | 500 | 3 |
| 2. | Importation | National | 25 | 25 | 1,500 | 3 |
| 3. | Distribution (wholesalers) | National | 25 | 25 | 500 | 3 |
| | | Regional | 10 | 10 | 150 | 3 |
| | | District | 10 | 10 | 50 | 3 |
| 4. | Selling(Retail) | National | 15 | 15 | 250 | 3 |
| | | Regional | 10 | 10 | 80 | 3 |
| | | District | 10 | 10 | 25 | 3 |

6. RADIO FREQUENCY SPECTRUM USAGE LICENCES

SUB -CATEGORY 6 A: RADIO COMMUNICATION STATION LICENCES AND FEES

| S/N | Types of Station Licence | Application fees (US \$) | Annual Licence fee/station/ bandwidth (US \$) | Renewal fee (US \$) | Duration of licence (years) |
|-----|--|--------------------------|---|---------------------|-----------------------------|
| 1. | Tanzania Amateur station Licence | | | | |
| | • Amateur radio station | 10 | 20 | 10 | 3 |
| | • Amateur experimental station | 10 | 10 | 10 | 3 |
| | • Amateur novas Station | 10 | 10 | 10 | 3 |
| 2. | Ship Station* | 25 | 500 | 25 | 3 |
| 3. | Aircraft Station* | 25 | 500 | 25 | 3 |
| 4. | HF Fixed/Mobile Radio Station | 10 | 120 | 10 | 3 |
| 5. | VHF/UHF Fixed/Mobile/Portable Radio Station with Single Frequency | 10 | 70 | 10 | 3 |
| 6. | VHF/UHF Fixed/Mobile/Portable Radio Station with pair of Frequencies | 10 | 80 | 10 | 3 |
| 7. | VHF/UHF Radio Repeater | 10 | 100 | 10 | 3 |
| 8. | HF Cross Boarder Station | 10 | 120 | 10 | 3 |
| 9. | Transportable Satellite Transceiver Station | 10 | 3,000 | 10 | 3 |
| 10. | Registration for Satellite | 500 | 1,500 | 500 | 3 |

Electronic and Postal Communications (Licensing)

GN. No. 57 (contd...)

| S/N | Types of Station Licence | Application fees (US \$) | Annual Licence fee/station/ bandwidth (US \$) | Renewal fee (US \$) | Duration of licence (years) |
|-----|---|--------------------------|---|---------------------|-----------------------------|
| | Mobile Phone/Devices | | | | |
| 11. | Public Satellite Ground Earth Station | 10 | 5,000 | 10 | 3 |
| 12. | Wireless Data Radio Links/Repeater Radio Station | 10 | 70 | 10 | 3 |
| 13 | Fixed-satellite Broadcasting Earth Station | 10 | 5,000 | 10 | 3 |
| 14. | Global Maritime Distress and Safety System -GMDSS | **15 | | 15 | 3 |

NB:* Fees charged as one station

** Fees charged in respect of certificate

SUB-CATEGORY 6 B: RADIO FREQUENCY SPECTRUM USER CHARGES

| S/N | Types of Station Licence | | Annual Licence fee/station/ Bandwidth (US \$) | Duration of licence (years) |
|-----|-------------------------------------|---|---|-----------------------------|
| 18. | Transmission/Base station Charges | Repeaters/BTS/Transmission Links | 70.00 per station | 10 |
| 19. | Frequency Bandwidth/Channel Charges | Band A 450MHz, 800MHz, 900MHz, 1800MHz, 2100MHz | 7,500.00 per 1MHz bandwidth per Zone | 10 |
| | | Band B 2300MHz, 2500MHz, 2000MHz | 2,500.00 per 1MHz bandwidth per Zone | 10 |
| | | Band C 1850MHz, 1900MHz, 3.1, 3.3, 3.5, 4.0, 4.9, 5.2, 5.4, 5.7, 5.8 GHz | 1,250.00 per 1MHz bandwidth per Zone | 10 |
| | | Band D Microwave Links (Long haul): 5, 6, 7, 8, 10, 11GHz | 1000.00 per 1MHz bandwidth per Zone | 10 |
| | | Band E Microwave Links (Short haul): 13, 15, 18, 23GHz | 750.00 per 1MHz bandwidth per Zone | 10 |

Electronic and Postal Communications (Licensing)

GN. No. 57 (contd...)

| S/N | Types of Station Licence | Application fees (US \$) | Annual Licence fee/station/ bandwidth (US \$) | Renewal fee (US \$) | Duration of licence (years) |
|-----|--------------------------|---|---|---------------------|-----------------------------|
| | | Band F Microwave Links/Access: 26, 28, 32, 38 GHz | 350.00 per 1MHz bandwidth per Zone | | 10 |

SUB-CATEGORY 6C: RADIO SPECTRUM FEES FOR BROADCASTING NETWORKS

| Type | Description | Annual license fees per Tx (US \$) | Duration of licence (years) |
|------|--|------------------------------------|-----------------------------|
| RB 1 | MF/HF Radio Broadcasting transmitter (Tx) | 1,000 | 5 |
| RB 2 | VHF FM Radio broadcasting transmitter providing signal coverage in Regional towns and surroundings with equal or less than 10 points of presence | 1,000 | 5 |
| RB 3 | VHF FM Radio broadcasting transmitter providing signal coverage in Regional towns and surroundings with more than 10 point of presence | 800 | 5 |
| RB 4 | VHF FM Radio broadcasting transmitter providing signal coverage in District towns and surroundings with equal or less than 20 points of presence | 500 | 5 |
| RB 5 | VHF FM Radio broadcasting transmitter providing signal coverage in District towns and surroundings with more than 20 points of presence | 200 | 5 |
| RB 6 | VHF FM Radio broadcasting transmitter – gap fillers | 100 | 5 |
| RB 7 | VHF FM Radio broadcasting transmitter providing signal coverage other than mentioned above (<i>transmitters installed in rural areas</i>) | 50 | 5 |
| TD 1 | VHF/UHF digital Television transmitters providing signal coverage in Regional towns and surroundings with equal or less than 5 point of presence (Applicable to multiplex operators) | 1,000 | 5 |
| TD 2 | VHF/UHF digital Television transmitters providing signal coverage in Regional towns and surroundings with more than 5 point of presence (<i>eirp equal to or more than 1 kW</i>) (Applicable to multiplex operators) | 500 | 5 |
| TD 3 | VHF/UHF digital Television transmitters providing signal coverage in District towns and surroundings with equal or less than 20 point of presence (Applicable to multiplex operators) | 200 | 5 |
| TD 4 | VHF/UHF digital Television transmitters providing signal coverage in District towns and surroundings with | 100 | 5 |

Electronic and Postal Communications (Licensing)

GN. No. 57 (contd...)

| Type | Description | Annual license fees per Tx (US \$) | Duration of licence (years) |
|------|--|------------------------------------|-----------------------------|
| | more than 20 point of presence) (Applicable to multiplex operators) | | |
| TD 5 | VHF/UHF digital Television transmitters- gap fillers transmitters (Applicable to multiplex operators) | 50 | 5 |
| TD 6 | VHF/UHF digital television transmitters providing signal coverage other than that mentioned in RA11, and 13 (transmitter installed in rural areas) (Applicable to multiplex operators) | 50 | 5 |
| TSTL | Studio Transmitter Links for DTT | 500 | 5 |
| RSTL | Studio Transmitter Link Digital/Analogue Radio/Audio Broadcasting Service | 70 | 5 |

SUB-CATEGORY 6 D: V-SAT LICENCES

| S/No. | Licence | Application Fees (US\$) | Renewal Licence Fees (US\$) | Annual Fees (US\$) | Duration of Licence (Years) |
|-------|--|-------------------------|-----------------------------|--------------------|-----------------------------|
| 1. | Cross border –Dedicated V-SAT | 200 | 200 | 1,500 | 3 |
| 2. | Cross border –Commercial V-SAT | 200 | 200 | 3,000 | 3 |
| 3. | Domestic Private- Dedicated- V-SAT | 200 | 200 | 500 | 3 |
| 4. | Domestic –Commercial - V-SAT | 200 | 200 | 1,000 | 3 |
| 5. | V-SAT Terminal for Radio Determination Services | 100 | 100 | 200 | 3 |
| 6. | V-SAT Terminal for Space Research related services | 100 | 100 | 200 | 3 |
| 7. | V-SAT Terminal for Amateur Satellite Services | 100 | 200 | 200 | 3 |
| 8. | Receive only V-SAT | 100 | 100 | Exempted | 3 |

7. NUMBERING FEES

| S/N | Type of Numbering Resource | Application Fees (US \$) | Registration Fees (US \$) | Annual Maintenance Fees (US \$) (payable one year after registration) | Duration of Licence (Years) |
|-----|---------------------------------------|--------------------------|---------------------------|---|-----------------------------|
| 1 | Prefix for Networks (NDC & MNDC) | 10 | 2,000 | 2,000 | 1 |
| 2 | Subscriber Numbers | NA | NA | US\$ 0.20 per Subscriber Number | |
| 3 | National Signalling Point Codes (SPC) | 10 | 2,000 | 2,000 | 1 |

Electronic and Postal Communications (Licensing)

GN. No. 57 (contd...)

| S/N | Type of Numbering Resource | Application Fees (US \$) | Registration Fees (US \$) | Annual Maintenance Fees (US \$) (payable one year after registration) | Duration of Licence (Years) |
|-----|---|--------------------------|---------------------------|---|-----------------------------|
| 4 | International Signalling Point Codes (ISPC) | 10 | 2,000 | 2,000 | 1 |
| 5 | Mobile Network Identification Codes (MNIC) | 10 | 2,000 | 2,000 | 1 |
| 6 | SIM Header | 10 | 2,000 | 2,000 | 1 |
| 7 | Data Network Identification Codes (DNIC) | 10 | 2,000 | 2,000 | 1 |
| 8 | Corporate Services Network Access Numbers | 10 | 2,000 | 2,000 | 1 |
| 9 | Carrier Selection/Pre-selection Codes | 10 | 10,000 | 5,000 | 1 |
| 10 | Premium Rate Access Codes (block) | 10 | 2,000 | 5,000 | 1 |
| 11 | Special & Fixed Rate Access Codes (block) | 10 | 2,000 | 5,000 | 1 |
| 12 | Special & Fixed Rate Access Codes Premium Rate Access Codes (Single number) | 10 | 1,000 | 2,000 | 1 |
| 13 | USSD Short Codes | 10 | 2,000 | 2,500 | 1 |
| 14 | VAS SMS & Special Services Short Codes: | | | | |
| | - GOLD | 10 | 4,000 | 2,500 | 1 |
| | - SILVER | 10 | 3,000 | 2,500 | 1 |
| | - BRONZE | 10 | 2,000 | 2,500 | 1 |
| | - ORDINARY | 10 | 1,500 | 2,500 | 1 |

8. POSTAL AND COURIER SERVICE LICENCES

| S/No. | Licence Categories | Application Fee (US \$) | Initial Licence Fee (US \$) | Licence Renewal Fee (US \$) | Royalty / Annual Fee (US \$) | Duration of licence in Years |
|-------|-------------------------|-------------------------|-----------------------------|-----------------------------|------------------------------|------------------------------|
| 1. | Public Postal Licensee | 1,000 | 10,000 | 1,000 | 9,000 | 25 |
| 2. | International Courier | 75 | 9,000 | 75 | 9,000 | 4 |
| 3. | East Africa Courier | 50 | 3,500 | 50 | 3,500 | 3 |
| 4. | Domestic Courier | 25 | 2,000 | 25 | 2,000 | 3 |
| 5. | Intra-City Courier | 25 | 750 | 25 | 750 | 3 |
| 7. | Inter-City Transporters | 25 | 350 | 25 | 350 | 3 |

Electronic and Postal Communications (Licensing)

GN. No. 57 (contd...)

9. TYPE APPROVAL EQUIPMENT FEES

| S/NO | TYPE OF EQUIPMENT | APPLICATION FEES (US \$) | APPROVAL FEES (US \$) |
|------|--|--------------------------|-----------------------|
| 1. | Terminal Electronic Communications Equipment | | |
| | Basic Telephone Sets, Data Modems, Mobile Phones, VHF/UHF Radio, Wireless Modules, Land Mobile Cellular Telephone Sets, etc. | 10.00 | 50.00 |
| 2. | Office Communications Systems (PABX) | | |
| | 2.1 Up to 50 Extensions | 10.00 | 100.00 |
| | 2.2 51 extensions and above | 10.00 | 300.00 |
| 3. | Network Electronic Communications Equipment | | |
| | 3.1 Base Stations, etc. | 10.00 | 1,000.00 |
| | 3.2 Switching Equipment | 10.00 | 1,000.00 |

10: CHANGE OF NAME, SHAREHOLDING STRUCTRE AND TRANSFER OF LICENCE

| S/N | ISSUE | TYPE OF LICENCE | CHANGE FEES (US \$) |
|-----|----------------------------------|---|----------------------|
| 1 | Change of Name | Network Facilities, Network Services, Content Services and Application Services | 1,000 |
| | | Other Licences | 200 |
| 2 | Change of Shareholding Structure | Network Facilities, Network Services, Content Services and Application Services | 1,500 |
| | | Other Licences | 500 |
| 3 | Transfer of Licence | All Licences | 1% of the sale price |

SECOND SCHEDULE

(Made under regulation 38(3))

PERFORMANCE BANK GUARANTEE

To:
The Director General
Tanzania Communications Regulatory Authority
P. O. Box 474
DAR ES SALAAM

In consideration of the Tanzania Communications Regulatory Authority (hereinafter referred to as the "AUTHORITY") having agreed to grant Licences to M/sof P. O. Box (hereinafter referred to as "LICENSEE") to provide (hereinafter referred to as "Licensed Services") on the terms and conditions contained in the said Licences, which inter alia provides for production of a Bank Guarantee to the extent of USD (United States DollarsOnly) (GUARANTEED AMOUNT) for provision of the services by way of security for the due observance and performance of the terms and conditions of the said Licences.

1. We.....(indicate the name and address and other particulars of the BANK) (hereinafter referred to as "the Bank") at the request of the LICENSEE hereby irrevocably and unconditionally guarantee to pay the AUTHORITY a sum of USD(United States DollarsOnly) or any part of this guaranteed amount against any loss or damage caused to or suffered or would be caused to or suffered by the AUTHORITY by reason of any breach by the said LICENSEE of any of the terms and conditions contained in the said Licences.

2. We,("the BANK"), hereby undertake to pay the guaranteed or any part thereof due and payable under this guarantee without any demur, on a written demand from the AUTHORITY stating that the amount claimed is due by way of loss or damage caused or would be caused to or suffered by the AUTHORITY by reason of breach by the said LICENSEE of any of the terms or conditions contained in the said Licences or by reason of the Licensee's failure to perform any of its obligations under the said Licences.

3. We,("the BANK"), do hereby agree that the decision of the Authority as to whether the LICENSEE has failed to or neglected to perform or discharge his duties and obligations under the terms and conditions of the said Licences and as to the amount payable to the AUTHORITY by the Bank hereunder shall be final and binding on the Bank.

4. We,.....("the BANK"), DO HEREBY DECLARE AND AGREE that:-

- (a) the Guarantee herein contained shall remain in full force and effect up to, 20..... or shall expire on the date that the full GUARANTEED AMOUNT has been paid to the AUTHORITY under the terms and conditions of this guarantee;

- (b) the AUTHORITY shall have the fullest liberty without our consent and without affecting in any manner our obligations hereunder to vary any of the terms and conditions of the said Licences or to extend time of performance of any obligations by the said LICENSEE from time to time or to postpone for any time or from time to time any of the powers exercisable by the AUTHORITY against the said LICENSEE and to forbear or to enforce any of the terms and conditions relating to the said Licences and we shall not be relieved from our liability by reason of any variation or extension being granted to the said LICENSEE or forbearance act or omission on the part of the AUTHORITY or any indulgence by the AUTHORITY to the said LICENSEE or to give such matter or thing whatsoever which under the law relating to sureties would but for this provision, have effect of so relieving us.
- (c) any claim which we have against the LICENSEE shall be subject and subordinate to the prior payment and performance in full of all the obligations of us hereunder and we will not without prior written consent of the AUTHORITY exercise any legal right or remedy of any kind in respect of any such payment or performance so long as the obligations of us hereunder remain owing and outstanding.

5. We,(the BANK) undertake to pay the AUTHORITY the amount demanded within thirty days after receipt of the demand.

6. The guarantee is neither negotiable nor transferable, is restricted to the payment of the sum of money only and is limited to the GUARANTEED AMOUNT.

7. We,(the BANK) undertake not to revoke this Guarantee during its currency except with the previous consent in writing of the AUTHORITY.

8. This guarantee shall be governed by and construed in accordance with the laws of Tanzania.
Issued by:

..... (The bank)

Name
Qualification:
Signature:

NOTE:

The amount to be specified in the performance bank guarantee shall be as follows:-

- (a) National Network Facilities and Network Services Licence- USD 2,000,000;
- (b) Support Services for Subscription Content Services-USD 100,000 (The amount to increase with growth of subscriber base);
- (c) Subscription Content Services minimum \$100.00 increasing depending on growth of subscriber base.

THIRD SCHEDULE

(Made under regulation 39)

THE UNITED REPUBLIC OF TANZANIA

**TANZANIA COMMUNICATIONS REGULATORY AUTHORITY
ISO 9001:2008 CERTIFIED**



APPLICATION FORM FOR RENEWAL OF INDIVIDUAL LICENCE

| APPLICATION FOR RENEWAL OF INDIVIDUAL LICENCE | | |
|---|---|-----------------------------------|
| SECTION I: PARTICULARS OF LICENSEE | | |
| 1.1 | Name of Licensee | |
| 1.2 | Licensee's registered physical and Postal Address | |
| 1.3 | Contacts- | Telephone: |
| | | Email: |
| | | Fax: |
| | Contact person | Telephone: |
| | | Email: |
| SECTION II: DETAILS OF LICENCE | | |
| 2.1 | Radio Frequency Issued | |
| 2.2 | Date of Issuance | |
| 2.3 | Date of Expiry | |
| 2.4 | Service area/market Segment | |
| 2.5 | Date of application for renewal | |
| 2.6 | Renewal Fees Payment Receipt | |
| SECTION III: SERVICES PROVIDED UNDER THE LICENCE (S) | | |
| | Type of Service | Subscriber Base and coverage area |
| | | |
| | | |
| | | |
| SECTION IV: DOCUMENTS REQUIRED TO BE SUBMITTED | | |
| 4.1 | Current Shareholding structure | |
| 4.2 | Roll out Plan – Existing and Future | |
| 4.4 | List of Contract(s) with other communication licensees. | |
| 4.5 | Personnel (List of Staff & Their Designations) | |

SECTION V: DECLARATION

I declare that the information given above is true to the best of my knowledge and I will be liable for any false information provided.

Name _____ Designation _____
 Official Stamp _____ Date _____

THE UNITED REPUBLIC OF TANZANIA

**TANZANIA COMMUNICATIONS REGULATORY AUTHORITY
 ISO 9001:2008 CERTIFIED**



APPLICATION FORM FOR RENEWAL OF CLASS LICENCE

| APPLICATION FOR RENEWAL OF CLASS LICENCE | | |
|--|--|------------|
| SECTION I: PARTICULARS OF LICENSEE | | |
| 01 | Name of Licensee | |
| 02 | Type of Licence (s) | |
| 03 | Licensee's registered physical and Postal Address | |
| 04 | Contacts- | Telephone: |
| | | Email: |
| | | Fax: |
| | Contact person | Telephone: |
| | | Email: |
| SECTION II: DETAILS OF LICENCE | | |
| 2.1. | Type of Licence | |
| 2.2 | Radio Frequency Issued, if any | |
| 2.3 | Date of Issue | |
| 2.4 | Date of Expiry | |
| 2.5 | Service area/market Segment | |
| 2.6 | Date of application for renewal | |
| 2.7 | Renewal Fees Payment Receipt | |
| SECTION III: DOCUMENTS REQUIRED TO BE SUBMITTED | | |
| | <ol style="list-style-type: none"> 1. copy of latest annual fee payment receipt 2. copy of issued Licence 3. for V-sat Station to submit technical specification of the V-sat station(s) 4. for Installation & Maintenance to submit list of customers served by applicant. 5. To submit certified copies of:- <ol style="list-style-type: none"> 5.1 Copy of Tax Identification Number | |

Electronic and Postal Communications (Licensing)

GN. No. 57 (contd...)

| | |
|--|---|
| | 5.2 Copy of Business Licence 5.3 Copy of Certificate of Incorporation (for companies) 5.4 For Sole Proprietors to submit Business Registration Certificate. |
|--|---|

SECTION IV: DECLARATION

I declare that the information given above is true to the best of my knowledge and I will be liable for any false information provided.

Name _____ Designation _____

Official Stamp _____ Date _____

FOURTH SCHEDULE

(Made under regulation 23)

THE UNITED REPUBLIC OF TANZANIA

**TANZANIA COMMUNICATIONS REGULATORY AUTHORITY
ISO 9001:2008 CERTIFIED**



APPLICATION FORM FOR CHANGE OF NAME

| | | |
|-----|---|--|
| S/N | | |
| 01 | Name of Licensee | |
| 02 | Type of Licence | |
| 03 | Licensee's registered physical and Postal Address | |
| 04 | Proposed Name | |
| 05 | Reasons for change of name | |
| 06 | Declaration | I declare that all what is stated hereinabove is true to the best of my knowledge. |

Name _____

Designation _____

Official Stamp _____

Date _____

Dar es Salaam,
30th January, 2018

MAKAME M. MBARAWA,
*Minister for Works, Transport
and Communications*