

*Supplement No. 42*

*24<sup>th</sup> October, 2014*

***SUBSIDIARY LEGISLATION***

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GOVERNMENT NOTICE NO. 422 published on 24/10/2014

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*The Electronic and Postal Communications Act*

G.N. No. 422 (contd.)

THE ELECTRONIC AND POSTAL COMMUNICATIONS ACT

(CAP. 306)

RULES

*(Made under Section 16 (2))*

THE ELECTRONIC AND POSTAL COMMUNICATIONS (LICENCE  
PROCEDURES) RULES, 2014

PART I  
PRELIMINARY PROVISIONS

Citation and  
Commencement

1. These Rules may be cited as the Electronic and Postal Communications (Licence Procedures) Rules, 2014.

Application

2. These Rules shall apply to licensing of Network Facilities, Network Services and Content Services Licences except Community Content Services.

Interpretation

3. In these Rules, unless the context otherwise requires-

“Act” means the Electronic and Postal Communications Act, Cap. 306;

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

“Authority” means the Tanzania Communications Regulatory Authority;

“Content Services Licence” means an electronic communications licence entitling the holder to provide one or more content services;

“District Market Segment” means an authorization to offer services by one or more individual licences to an administrative district;

“Individual Licences” means Network Facilities Licence, Network Services Licence, Application Services Licence or Content Services Licence;

“International Market Segment” means an authorization to offer services by one or more individual licences beyond the national boundaries;

“Invitation to Apply” means a notice issued by the Authority inviting any person to apply for a particular licence.

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“Market Segments” means the division of the individual licences into International Market Segment, National Market segment, Regional Market segment, District Market segment etc;

“Network Facilities Licence” means an electronic communications licence entitling the holder to construct, maintain, own and make available one or more network facilities such as Earth Stations, Fixed links and cables, Public Payphone facilities, Radio communications transmitters and links, Satellite hubs, Satellite control station, Space station, Submarine cable landing centre, Switching centre, Tower, poles, ducts or pits;

“Network Services Licence” means an electronic communications licence entitling the holder to provide one or more network services;

“National Market Segment” means an authorization to offer services by one or more individual licences to national market;

“Regional Market Segment” means an authorization to offer services by one or more individual licences to one or more administrative regions and for Content Services to ten points of presence;

## PART II TENDER

Invitation to  
Tender

4.- The Authority shall-

- (a) from time to time, through a competitive tender process invite applications for Network Facilities, Network Services and Content Services Licences which require spectrum;
- (b) make announcement in a competitive tender process mentioned in sub-rule (1) about the available spectrum.
- (c) prepare tender document which will include among other things the following:
  - (i) Form FSA as per First Schedule to these Rules;
  - (ii) Form CS as per Second Schedule to these Rules.

Evaluation of  
Tenders

5. The Authority shall-

- (a) constitute an evaluation team to evaluate all tenders submitted and opened during the public opening ceremony;
- (b) notify the bidders in writing on the outcome of the tender evaluation.

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Public Notice

6. The Authority shall-

- (a) publish a notice of successful bidder(s) in widely circulating newspapers inviting written comments from the public within fourteen (14) days from the date of publication
- (b) proceed with processing of the said application after elapse of the fourteen days of the publication the notice and Authority is satisfied that the applicant is not required to submit any additional documents or information;
- (c) The applicant must notify the Authority of any material change affecting applicant is application including any change in shareholding structure;
- (d) in case needs appears may require the applicant to furnish additional information regarding the application.

Presentation

7. After publication of the public notice, an applicant will be notified and invited to make presentation before the Authority of his business and technical plans.

and Board  
approvals

8. All qualified applicants/bidders shall be submitted to the Management for noting and approval.

(2) Applicants noted by the Management will be submitted to the Board for consideration and approval.

(3) The Authority shall notify successful applicant/bidder.

Consultation  
with the  
Minister/Sector  
Minister

9. Before issuance of an individual licence, the Authority shall make prior consultation with the Minister responsible for-

- (a) communications where application is for Network Facilities and Network Services Licences ; or
- (b) content where application is for Content Services Licences.

Grant of  
Licences

10. The Authority shall-

- (a) invite successful applicant(s) for award of a licence(s) in a licence ceremony.
- (b) to successful applicant(s), licence(s), certificate(s), Legislation and Regulations related to the licence(s).
- (c) grant a licence and certificate to an applicant bearing the logo and seal of the Authority and signed by the Director General and witnessed by the Director of Legal Services/Secretary to the Board.

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Amendment of  
the Rules

11. The Authority may from time to time amend these Rules.

## **FIRST SCHEDULE**

*(Made under Rule 4)*

**FORM FSA**

### **APPLICATION FORM**

THE UNITED REPUBLIC OF TANZANIA  
TANZANIA COMMUNICATIONS REGULATORY AUTHORITY



### **APPLICATION FOR A LICENCE TO PROVIDE COMMUNICATION NETWORKS AND SERVICES**

**NOTE:** *The duly filled application form must be submitted with the following attachments:*

#### **1. General**

- i. Transmittal letter to the DG
- ii. Photo copy of receipt for application fees
- iii. A certified copy of certificate of Incorporation or Registration
- iv. A certified copy of Company's Memorandum of Association
- v. Information on track record (references)
- vi. Company Profile

Content Service Licence applicants to also complete Form CS

#### **2. Business and Technical Plans with the following:-**

##### **A. Business Plan**

- i. Service to be offered
- ii. Costing structure
- iii. Service Pricing
- iv. Projected financial statements
- v. Financing plan
- vi. Capital Investment Ratio (Equity: Debt)
- vii. Organization Structure
- viii. Human resource development strategy
- ix. Customer care strategy

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## B. Technical Plan

- i. Network design and architecture (frequency channeling arrangements,
- ii. Network rollout plan (coverage, customer base projections, construction plan, radio frequency)
- iii. Manuals, brochures and technical specifications

## 3. Type of Licence applied for (Please tick)

1. Network Facilities Licence
2. Network Services Licence
3. Applications Services Licence
4. Content Services

## 4. Particulars of Applicant

### A. Name of applicant:

.....  
.....  
.....

Telephone..... Fax.....

E-mail:..... Website:.....

Physical address:

Town/City..... Street .....

Plot No. .... Post Code.....

### B. Company Information: (Applicable to all applicants)

#### (i) Name(s) of Shareholders/Directors and Shareholding structure (%)

S/N	Name of Shareholder	Citizenship	% Shares

(ii) Share Capital of Company.....

(iii) Nature of Services applied for.....

.....  
.....  
.....

(iv) The intended area to be covered by these services: (please tick)

- a) International
- b) National

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- c) Regional
- d) District

(If region(s) or district(s) please mention):

5. Estimated Cost of investment

6. Do you intend to use frequency spectrum? Yes / No (please tick)

If yes, please provide the network diagram

7. Staff establishment and qualification (present and future)

- 1. Number of staff: .....
- 2. Establishment of Staff, Qualifications and Nationality

	Name of Staff	Qualifications	Nationality
1			
2			
3			
4			
5			
6			
7			

Note: Attach CVs for each staff listed.

8. Staff training programmes (attach extra evidence if any)

9. Expected date of commencement of operations

10. Future staff development plans

11. Any other relevant information on staff development

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**12. Declaration**

I declare that the contents of this application and all enclosures are true and correct

Name \_\_\_\_\_

Position \_\_\_\_\_

\_\_\_\_\_

Signature and Official Stamp

Date \_\_\_\_\_



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## SECOND SCHEDULE

FORM CS

(Under Rule 4)

### APPLICATION FORM

THE UNITED REPUBLIC OF TANZANIA  
TANZANIA COMMUNICATIONS REGULATORY AUTHORITY



TECHNICAL DETAILS FORM FOR APPLICATION TO PROVIDE CONTENT SERVICES

#### A. APPLICANT INFORMATION:

##### 1. Applicant Details

Name of applicant:	
Physical address(including Post Code):	
Telephone number (Fixed and Mobile):	Fax number:
E-mail address:	Website:
Type of service	Type of licence
<input type="checkbox"/> Radio Broadcasting(Free To Air Radio) <input type="checkbox"/> Television (Free To Air Television) <input type="checkbox"/> Subscription Broadcasting (Terrestrial) <input type="checkbox"/> Subscription Broadcasting (other technologies) <input type="checkbox"/> Support Services (Terrestrial) <input type="checkbox"/> Support Services (Satellite) <input type="checkbox"/>	<input type="checkbox"/> Commercial <input type="checkbox"/> Non Commercial <input type="checkbox"/> Community <input type="checkbox"/> Other(Please explain)

Conduct Person	
Telephone number (Fixed and Mobile):	Fax number:
E-mail address:	Website:
Receipt No. of Application Fees:	

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**2. Company Information: (Applicable to all applicants)**

**1. Name(s) of shareholders/ Directors and Shareholding structure (%)**

S/No	Name of Shareholder	Citizenship	% Share

2. Share Capital of Company.....

3. Attach Feasibility Study and Cash Flow Analysis. Cash Flow Analysis should be prepared in a format which conforms to International Financial Reporting Standards (IFRS).

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**B. TECHNICAL SPECIFICATIONS (Applicable to AM/MW/FM Sound broadcasting applicants only):**

**Transmitter Information:**

S/N	Required Transmitter Information	
1	Make and Type of Equipment	
2	Manufacturer's Name and Address	
3	Antenna Type and make	Antenna Gain
4	Maximum Output Power	Effective Radiated Power (ERP)
5	Coordinates of the transmitting point (Deg, Min, Sec)	
6	Height of the transmitting tower above the ground (In Meters)	
7	Height of the transmitting tower above the sea level (In Meters)	
8	Station Type  M <input type="checkbox"/> Station  B <input type="checkbox"/> er Station	
9	Intended Service Area..... (Attach rollout plan) Do you intend to use Satellite Uplink? (Yes/No) If Yes, Provide Particulars of the organization and beaming satellite location, coordinates and operating frequencies/transponder	
10	Exact Studio Site Location (Area, Street, Block, Plot No. etc)	
11	Exact Antenna (Broadcasting) Site Location (Area, Street, Block, Plot No. etc)	
12	Ownership of Transmitter Facility:  Leased Facility <input type="checkbox"/> Own Property <input type="checkbox"/> Shared Infrastructure <input type="checkbox"/> <input type="checkbox"/> (Please, tick appropriate) If leased, Name of Lesser..... Address and Contact..... .....  If shared, please mention name of companion	

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13	Frequency Band
14	1. Nominal Bandwidth..... 2. Type of Modulation..... 3. Class of Emission..... 4. Transmitter Power..... 5. Azimuth of Maximum Radiation in Degrees..... 6. Angular Width of Radiation Main Lobe in Degrees.....
15	Maximum Hours of Operation per day.....
16	For Cable Television, give particulars of Modulator equipment and accessories (Modulator make and type, cable type, etc)
17	For IPTV/VOD give particulars of head-end

**C: ANTENNA MAST CONSTRUCTION: (Applicable to all applicants deploying Transmission Masts)**

Contractor Name and Address:	
Telephone number (Fixed and Mobile):	Fax Number:
E-mail address:	Website
Region	District:
CRB Registration Number:	
CRB Registration Category:	(Tick Appropriate Category) <b>Local</b> <input type="checkbox"/>  <b>Foreign</b> <input type="checkbox"/>

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### D: STUDIO TECHNICAL SPECIFICATIONS (For all Applicants)

#### 1. Studio technical specifications

Particulars of studio equipment (s)		
List of equipment	Make and Type	Other particulars
1.		
2.		
3.		
4.		
5.		
6.		

Note: Please attach Technical Brochures of studio accessories

#### 2. Conditions for Studio Layout

1	The applicant should ensure that there are provisions for Standard Production Studio Room, Live Studio Room, Control Room, News Room, Library etc.
3	The studio rooms should be designed with standard acoustic treatment materials designed and constructed by a registered professional company.
4	Waiting/ resting rooms for staff should be provided.
5	The Studio should be professionally fenced with provision of security.

Note: Please attach Studio Layout Diagram(s)

#### 3. Intended Multiplex Operator:

1. Name of the Multiplex Operator:

2. Location of Head-end:

### F: STUDIO TO TRANSMITTER LINK (Applicable to Digital Television and AM/MW/FM applicants);

STL information for Digital Television Feeds and AM/MW/FM Sound Broadcasting;

S/No	Required STL Information	
1	Make and Type of Equipment	
2	Manufacturer's Name and Address:	

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3	Antenna Type and make:	Antenna Gain:
4	Maximum Output Power:	Effective Radiated Power (ERP):
5	Coordinates of the transmitting point (Deg, Min, Sec):	Coordinates of the receiving point (Deg, Min, Sec):
6	Height of the transmitting tower above the ground (In Meters):	Height of the receiving tower above the ground level (in Meters):
7	Height of the transmitting tower above the sea level (In Meters):	Height of the receiving tower above the sea level (In Metres):
8	For fiber optic link, describe its components specifications and attach technical brochures (Information may be included in the project write-up):	
9	Attach any additional information:	

**Note:** For STL links consult the Directorate of Information and Communication Technologies on applicable frequency range prior to acquisition of equipment.

### G: Content Service information (Applicable to all Applicants);

1	Source of Programmes (Locally Produced/ Imported %)  Note: Minimum 60% must be local. (Attach evidence of compliance with 2.1 above)	If imported please specify (Source, Copyright Agreements)
2	Type of Programmes (Commercial, Advertising, Cultural, Sports, Political, Religious, Entertainment etc)	Time and Hours of Operation per Day .....
3	Intended Charges to Viewers and Listeners (Applicable to Subscription Services)	Expected Date of Commencement of Operations (DD / MM / YYYY) .....
4	Please, attach a diverse seven day a week program schedule which conforms to the business plan objectives	Expected Date of Commencement of Operations (DD / MM / YYYY) .....
5	Editorial Policy Guidelines	Please attach.

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**Note:** Attach description for items 1-5 above

**H. Declaration**

I declare that the contents of this application and all enclosures herein are true and correct.

Name .....

Position .....

Signature and Official Stamp .....

Date.....

Dar es Salaam  
15 October, 2014

**JOHN S. NKOMA**  
*Director General Tanzania  
Communication Regulatory Authority*