



Ref. No: EB.32/160/01/70

13<sup>th</sup> June, 2023

Managing Director,  
SatCom Network Africa Limited,  
P. O. Box 79315,  
**15103 DAR ES SALAAM.**

### **DECISION ON COMPLIANCE ORDER**

*(Pursuant to the Compliance Order hearing on 12<sup>th</sup> April held at TCRA Headquarters,  
Dar es Salaam)*

#### **1. INTRODUCTION**

- 1.1 On 06<sup>th</sup> March, 2022, Tanzania Communications Regulatory Authority (hereinafter referred to as the “**Authority**”) issued to **SatCom Network Africa Limited** (SatCoNect) (hereinafter referred to as the “**Licensee**”), a National Application Services licence for the provision of internet services;
- 1.2 WHEREAS among the licence conditions, the Licensee is obliged to comply with the relevant provisions of the Acts, Regulations, Authority’s directives and any other Laws of Tanzania;
- 1.3 Pursuant to section 6 (1) of the Electronic and Postal Communications Act, Cap. 306, R.E. 2022 requires any person or a company that wishes to operate any electronic communications system or offer postal communications, electronic communications or content services to apply to the Authority for a licence;
- 1.4 Table One of the First Schedule to the Electronic and Postal Communications (Licensing) Regulations, 2018 as amended in 2022, building and operating a fiber network is within the scope of a Network Facilities licence. Therefore, the Application Services licence does not include fiber optic cable network;
- 1.5 The Authority carried out audit and assessment of SatCoNect’s Sites rollout between December 2022 to January 2023 whereby it was revealed that the licensee is operating beyond the scope of its licence by building and operating the



fiber networks in Dar es Salaam region without having the Network Facilities Licence;

## **2. COMPLIANCE ORDER**

2.1 That on 31<sup>st</sup> day of March 2023, the Authority issued a Compliance Order requiring the Licensee to submit a written explanation and appear before the Authority **at TCRA Headquarters 8<sup>th</sup> Floor on 12<sup>th</sup> day of April, 2023 at 2:00 pm** to show cause as to why the Authority should not take Legal and regulatory actions for the Licensee's breach of the Law, Regulations and Licence Conditions

## **3. COMPLIANCE ORDER HEARING**

The Licensee in compliance with the order, appeared before the Authority on the date and time set for the hearing represented by Mr. Ramachandran Iyer Director and Bhavesh Bhati Marketing Executive.

## **4. LICENSEE'S DEFENCE**

The Licensee submitted their written explanations and oral in summary as follows;

- 4.1 Licensee started that, SatCoNect does not own or operate any Network Facilities or any fiber optic cable network in any part within the United Republic of Tanzania.
- 4.2 They further submitted in their written explanations that, they provide last mile connectivity through fiber and Microwave for internet and data through a third party service providers like Cable Television Network, Aptus Solutions, Airtel Tanzania and Vodacom Tanzania PLC.
- 4.3 In support of their claim for using leased optic fibers, the licensee submitted to the Authority various agreements and invoices for the lease of fiber optic cable and microwave links.
- 4.4 In their conclusion, the Licensee expressed their readiness and willingness to provide any information that may be required by the Authority to prove their submissions in their defence that they are operating within the scope of their licence.




## 5. CONSIDERATION OF LICENSEE'S DEFENCE


- 5.1 After receiving the licensee's oral and written explanations, the Authority has observed that the Licensee denial of allegations was supported by proof of commercial arrangement with other service providers such as Cable Television Network, Aptus Solutions, Airtel Tanzania and Vodacom Tanzania PLC.
- 5.2 The licensee was able to present before the Authority through letter dated 16<sup>th</sup> April, 2023 with reference no. SNA/TCRA/LIC/23.4.2, copies of agreements and invoices showing that the Licensee is leasing and has been paying for capacity from the above named operators.
- 5.3 The evidence provided before the Authority has proven that, the Licensee has not constructed its own fiber hence not in breach of law, regulation and license conditions.

**NOWTHEREFORE**, after the licensee's defense and having considered the Licensee's oral and written submissions during the hearing, and after going through documentary evidence submitted, the Authority finds SatCom Network Africa Limited not in breach of law, regulation and license condition.

Order issued on this...<sup>13<sup>th</sup></sup> day of .....<sup>June</sup>....., 2023.

  
.....  
Dr. Jabiri K. Bakari  
**DIRECTOR GENERAL**

Order served upon and received by **SatCom Network Africa Limited** on this...<sup>15<sup>th</sup></sup> day of ...<sup>6</sup>., 2023.

Name: .....<sup>Jayesh Mwach</sup>.....  
Signature: ..........  
Designation: .....<sup>Operator Momya</sup>.....

**SATCOM NETWORKS AFRICA LTD.**  
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***(This Order is issued in duplicate. Sign both copies and retain your copy while the other copy is to be returned to the Authority to authenticate due service of the Order.)***