



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

N\$6.00

WINDHOEK - 23 August 2016

No. 6102

CONTENTS

Page

GENERAL NOTICES

No. 347	Communications Regulatory Authority of Namibia: Notice in terms of the Regulations Regarding Licensing Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences	1
No. 348	Communications Regulatory Authority of Namibia: Notice in terms of the Regulations Regarding Licensing Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences	3
No. 349	Communications Regulatory Authority of Namibia: Notice in terms of the Regulations Regarding Licensing Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences	5
No. 350	Communications Regulatory Authority of Namibia: Notice of Reconsideration in terms of Section 31 of the Communications Act, 2009 (Act No. 8 of 2009)	7
No. 351	Communications Regulatory Authority of Namibia: Notice in terms of the Regulations Regarding the Submissions of Interconnection Agreements and Tariffs	8

General Notices

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 347

2016

NOTICE IN TERMS OF THE REGULATIONS REGARDING LICENSING PROCEDURES FOR TELECOMMUNICATIONS AND BROADCASTING SERVICE LICENCES AND SPECTRUM USE LICENCES

The Communications Regulatory Authority of Namibia, in terms of Section 42(2) of the Communications Act, 2009 (Act No. 8 of 2009) read with regulation 13(3) of the “Regulations Regarding Licensing Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences”, published in Government Gazette No. 4785, Notice No. 272, dated 29 August 2011 (as amended), herewith gives public notice that the licence set out below is being considered for modification:

Licensee	Licensee Citizenship or place of incorporation	Percentage of Stock owned by Namibian Citizens or Namibian Companies controlled by Namibian Citizens;	Licence to be modified licence:	Description of geographic coverage area (s)			Radio Frequencies or group of frequencies considered for modification;	Grounds for Modification	Proposed Radio Frequencies or group of frequencies to be assigned;	Service provided using frequency assigned	Party providing Signal Distribution
				Region	District	Town/City					
Namibia Broadcasting Corporation (NBC)	Established in terms of section 2 of the Namibian Broadcasting Act (Act No. 9 of 1991)	State Owned Enterprise	Spectrum Use Licence as issued on 09 September 2014, published in Government Gazette 5557, Notice 310.	Erongo	Arandis	Rössing Mountain	106.9 MHz	The licensee has been erroneously assigned the frequency 106.9 MHz for the geographic area of Karibib and the same frequency was awarded to West Coast FM in the same geographical area, therefore causing interference	104.2 MHz	FM Broadcasting services	Own

The public may submit comments in writing to the Authority within a period of thirty (30) days from the date of publication of this notice in the *Gazette*.

The applicant may submit written reply comments within fourteen (14) days from the due date of the written public comments.

All written submissions must contain the name and contact details of the person making the written submissions and the name and contact details of the person for whom the written submission is made, if different and be clear and concise.

All written submissions and reply comments must be made either physically or electronically –

- (1) By hand to the head offices of the Authority, namely Communication House, 56 Robert Mugabe Avenue, Windhoek;
- (2) By post to the head offices of the Authority, namely Private Bag 13309, Windhoek 9000;
- (3) By electronic mail to the following address: legal@cran.na;
- (4) By facsimile to the following facsimile number: +264 61 222790; or
- (5) By fax to e-mail to: 088642748.

F. KISHI

CHAIRPERSON OF THE BOARD OF DIRECTORS

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 348

2016

**NOTICE IN TERMS OF THE REGULATIONS REGARDING LICENSING PROCEDURES
FOR TELECOMMUNICATIONS AND BROADCASTING SERVICE LICENCES AND
SPECTRUM USE LICENCES**

The Communications Regulatory Authority of Namibia, in terms of Section 42(2) of the Communications Act, 2009 (Act No. 8 of 2009) read with regulation 13(3) of the “Regulations Regarding Licensing Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences”, published in Government Gazette No. 4785, Notice No. 272, dated 29 August 2011 (as amended), herewith gives public notice that the licence set out below is being considered for modification:

Licensee	Licensee Citizenship or place of incorporation	Percentage of Stock owned by Namibian Citizens or Namibian Companies controlled by Namibian Citizens;	Licence to be modified licence:	Description of geographic coverage area (s)			Radio Frequencies or group of frequencies considered for modification;	Grounds for Modification	Proposed radio Frequencies or group of frequencies to be assigned;	Service provided using frequency assigned	Party providing Signal Distribution
				Region	District	Town/City					
Namibia Broadcasting Corporation (NBC)	Established in terms of section 2 of the Namibian Broadcasting Act (Act No. 9 of 1991)	State Owned Enterprise	Spectrum Use Licence as issued on 02 March 2015, published in Government Gazette 5683, Notice 98.	Erongo	Karibib	Erongo Mountain	98.7 MHz	The licensee has been erroneously assigned the frequency 98.7 MHz for the geographic area of Karibib and the same frequency was awarded to Media for Christ in the same geographical area, therefore causing interference	105.9 MHz	FM Broadcasting services	Own

The public may submit comments in writing to the Authority within a period of thirty (30) days from the date of publication of this notice in the *Gazette*.

The applicant may submit written reply comments within fourteen (14) days from the due date of the written public comments.

All written submissions must contain the name and contact details of the person making the written submissions and the name and contact details of the person for whom the written submission is made, if different and be clear and concise.

All written submissions and reply comments must be made either physically or electronically –

- (1) By hand to the head offices of the Authority, namely Communication House, 56 Robert Mugabe Avenue, Windhoek;
- (2) By post to the head offices of the Authority, namely Private Bag 13309, Windhoek 9000;
- (3) By electronic mail to the following address: legal@cran.na;
- (4) By facsimile to the following facsimile number: +264 61 222790; or
- (5) By fax to e-mail to: 088642748.

F. KISHI

CHAIRPERSON OF THE BOARD OF DIRECTORS

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 349

2016

**NOTICE IN TERMS OF THE REGULATIONS REGARDING LICENSING PROCEDURES
FOR TELECOMMUNICATIONS AND BROADCASTING SERVICE LICENCES AND
SPECTRUM USE LICENCES**

The Communications Regulatory Authority of Namibia, in terms of Section 42(2) of the Communications Act, 2009 (Act No. 8 of 2009) read with regulation 13(3) of the “Regulations Regarding Licensing Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences”, published in Government Gazette No. 4785, Notice No. 272, dated 29 August 2011 (as amended), herewith gives public notice that the licence set out below is being considered for modification:

Licensee	Licensee Citizenship or place of incorporation	Percentage of Stock owned by Namibian Citizens or Namibian Companies controlled by Namibian Citizens;	Licence to be modified licence:	Description of geographic coverage area (s)			Radio Frequencies or group of frequencies considered for modification ;	Grounds for Modification	Proposed radio Frequencies or group of frequencies to be assigned;	Service provided using frequency assigned	Party providing Signal Distribution
				Region	District	Town/City					
N a m i b i a Broadcasting Corporation (NBC)	Established in terms of section 2 of the Namibian Broadcasting Act (Act No. 9 of 1991)	State Owned Enterprise	Spectrum Use Licence as issued on 02 March 2015, published in Government Gazette 5683, Notice 98.	Erongo	Karibib	Erongo Mountain	92.2 MHz	The licensee has been erroneously assigned the frequency 92.2 MHz for the geographic area of Karibib and the same frequency was awarded to Radiowave in the same geographical area, therefore causing interference	88.0 MHz	FM Broadcasting services	Own

The public may submit comments in writing to the Authority within a period of thirty (30) days from the date of publication of this notice in the *Gazette*.

The applicant may submit written reply comments within fourteen (14) days from the due date of the written public comments.

All written submissions must contain the name and contact details of the person making the written submissions and the name and contact details of the person for whom the written submission is made, if different and be clear and concise.

All written submissions and reply comments must be made either physically or electronically –

- (1) By hand to the head offices of the Authority, namely Communication House, 56 Robert Mugabe Avenue, Windhoek;
- (2) By post to the head offices of the Authority, namely Private Bag 13309, Windhoek 9000;
- (3) By electronic mail to the following address: legal@cran.na;
- (4) By facsimile to the following facsimile number: +264 61 222790; or
- (5) By fax to e-mail to: 088642748.

F. KISHI

CHAIRPERSON OF THE BOARD OF DIRECTORS

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 350

2016

**NOTICE OF RECONSIDERATION IN TERMS OF SECTION 31 OF THE
COMMUNICATIONS ACT, 2009 (ACT NO. 8 OF 2009)**

The Communications Regulatory Authority of Namibia, in terms of section 31 of the Communications Act, 2009 (Act No. 8 of 2009), herewith gives notice that **Mobile Telecommunications Limited** has submitted an application for reconsideration, dated the 5 August 2016.

The application is in respect of a decision by the Authority to decline the application for a Spectrum Use Licence for (UL) 1935 MHz – 1940 MHz paired with (DL) 2125 MHz – 2130 MHz, which decision was published in Government Gazette No. 323, General Notice No. 6091, dated 10 August 2016. The reasons and grounds for the application for reconsideration are contained in the application that can be inspected at the offices of the Authority.

The public may submit comments in writing to the Authority within a period of fourteen (14) days from the date of publication of this notice in the *Gazette*.

The applicant may submit written reply comments within fourteen (14) days from the due date of the written public comments.

All written submissions must contain the name and contact details of the person making the written submissions and the name and contact details of the person for whom the written submission is made, if different and be clear and concise.

All written submissions and reply comments must be made either physically or electronically –

- (1) By hand to the head offices of the Authority, namely Communication House, 56 Robert Mugabe Avenue, Windhoek;
- (2) By post to the head offices of the Authority, namely Private Bag 13309, Windhoek 9000;
- (3) By electronic mail to the following address: legal@cran.na;
- (4) By facsimile to the following facsimile number: +264 61 222790; or
- (5) By fax to e-mail to: 0886550852.

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

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 351

2016

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

The Communications Regulatory Authority of Namibia, in terms of Section 53(10) of the Communications Act, 2009 (Act No. 8 of 2009) read with regulation 8(1) of the “Regulations Regarding the Submission of Interconnection Agreements and Tariffs”, in Government Gazette No. 4714, Notice No. 126, dated 18 May 2011, herewith gives notice that **Paratus Telecommunications Limited** has filed tariffs with the Authority as set out in Schedule 1.

Any person may examine copies of the tariffs submitted at the head offices of the Authority during normal business hours and copies may be made on payment of a fee determined by the Authority. Copies are also available at www.cran.na where copies may be downloaded free of charge.

The public may submit in writing to the Authority written comments within fourteen (14) days from the date of publication of this notice in the *Gazette*.

Paratus Telecommunications Limited may submit, in writing to the Authority, a response to any written comments within fourteen (14) days from the lapsing of the time to submit written submissions.

All written submissions must contain the name and contact details of the person making the written submissions and the name and contact details of the person for whom the written submissions is made, if different and be clear and concise.

All written submissions and reply comments must be made either physically or electronically –

- (1) By hand to the head offices of the Authority, namely Communication House, 56 Robert Mugabe Avenue, Windhoek;
- (2) By post to the head offices of the Authority, namely Private Bag 13309, Windhoek 9000;
- (3) By electronic mail to the following address: legal@cran.na; and

(4) By facsimile to the following facsimile number: +264 61 222790.

(5) By fax to e-mail to: 0886550852

F. KISHI

CHAIRPERSON OF THE BOARD OF DIRECTORS

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

SCHEDULE 1

**SUBMISSIONS OF PROPOSED TARRIFF
BY PARATUS TELECOM
LTE OFFERING**

ADDITIONS TO THE LTE POSTPAID PACKAGES

	PT	PT
	30GB	60GB
Connection Fee - N\$	285.00	285.00
Monthly Fee - N\$	575.00	775.00
Includes Dongle (CPE)	Yes	Yes
Data CAP - GB	30	60
Max Clients (MAC)	1	1
Renewal period (months)	1	1
Contract Period (months)	12	12
Out of Bundle Rate - N\$ per GB	As submit for bundles	As submit for bundles
Max Speed – Mbps	50	50

TERMS AND CONDITIONS

1. Pricing is quoted in Namibian Dollar
2. Pricing excludes 15% VAT
3. Data Bundles options will be available to all customers and does not apply when roaming.
4. Pricing is based on a 12-month contract for Postpaid packages that are automatically renewed on the completion of contract period, unless 30 days written notice is given by the customer.
5. Standard Paratus Telecom's Acceptable Use Policy applies
6. The LTE 30GB Package includes 30GB of data monthly.
7. The LTE30GB subscriber may opt for an upgrade to a router for N\$1500.00 Excl VAT
8. The LTE 60GB Package includes 60GB of data monthly.
9. The LTE 60GB subscriber may opt for an upgrade to a router for N\$1000.00 Excl VAT
10. The offered Data Packages are based on a "use-it-or-lose-it" policy. Any Data left over at the end of the period does not rollover into the next period and will be forfeit.
11. Customers are not restricted as to what they use their data for, as long as the customer does not engage in any unlawful activity, which includes any explicit or offensive content.

- The customer indemnifies Paratus Telecom against any claims, loss (direct and indirect, consequential or otherwise).
12. Some applications transfer data in the background even if the customer is not actively sending or receiving data, such as software updates, streaming services, mapping and location based application services. These customers may experience higher data usage as a result of such active background applications and the customer hereby indemnifies Paratus Telecom from the excessive bandwidth utilization that may be caused and associated with such application activities. Paratus has no control over the applications installed and used by the customer, and as such will not be held liable for high data usage claimed by the customer as irregular.
 13. Paratus Telecom can warn, limit or disconnect any customer who is reasonably deemed to be abusing their data services.
 14. Paratus Telecom can change the prices of the data services, alter or introduce new terms and conditions. This change will not be detrimental or to the disadvantage of the customer and the Customers will be notified 14 days before the change via our website, Billboards, Social Media or direct e-mail whichever media channel is deemed to get the message across faster within 14 days.
 15. Customers will indemnify Paratus Telecom in the following instances:
 - a. If Paratus Telecom due to any vis majeure suspends the data services or
 - b. Due to suspected fraudulent or unlawful use of the data services.
 16. Upon subscribing to the any of the Paratus Telecom services, the customer agrees that Paratus Telecom may conduct ITC background checks with relevant financial screening agencies prior to approving any customer account application.
 17. In the event that the customer fails to pay for any of the Postpaid services, Paratus Telecom reserves the right to suspend the customer services until such time as payment is received. Should payment not be received from the customer for any outstanding services, the customer agrees that Paratus Telecom may prohibit the customer from being offered any future, additional or value-added services by Paratus Telecom.
-