

# THE CRANICLES

Communications Regulatory Authority of Namibia

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Communications Regulatory Authority of Namibia (CRAN)



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# EDITORIAL

It is our pleasure to present yet another informative edition of our external newsletter the CRANicles.

In this edition we highlight various stakeholder engagement initiatives undertaken, since our last edition, namely, the signing of the Memorandum of Understanding (MoU) between CRAN and the Namibian Police Force (NAMPOL), the 5<sup>th</sup> SADC Preparatory meeting for World Radiocommunication Conference 2019 (WRC-19), World Radio Day and various public consultative meetings hosted.

I trust you will find this edition of the CRANicles insightful and encourage you to provide us with your views, comments and/or queries by sending us an email for the attention of the Editor to [communications@cran.na](mailto:communications@cran.na).



*Jairus Kapenda*

*Senior Corporate Communication Practitioner*

# CEO'S FOREWORD

**A**s you read through this informative edition of the CRANicles, allow me to use this opportunity to extend our heartfelt appreciation for your continued support to CRAN. Your support has enabled us to roll out our new Strategic Plan, meet obligations as set out in our mandate in the Communications Act (No. 8 of 2009) and most importantly, formulate meaningful dialogue in order to create mutual understanding between CRAN and our stakeholders for the benefit of ICT consumers.



**Festus K. Mbandeka**  
Chief Executive Officer

***“For many of us, the beginning of April, signifies the beginning of a new financial year and provides a time for us to reflect and report on the numerous achievements as attained in the previous financial year”***

Since the beginning of January 2019 and to date, we have successfully hosted various public consultative meetings, namely, the consultative meeting that focussed on the Regulations prescribing license categories and licensing procedures for Postal Service Licensees, the Amendment of Regulations in respect of Type Approval and Technical Standards for Telecommunications Equipment, the consultative meeting on the intentions to make regulations prescribing procedures regarding application for and amendment, renewal or transfer of Spectrum Licenses. The final public consultative meeting during this time focussed on the intention to make Universal Service Obligations Guidelines.

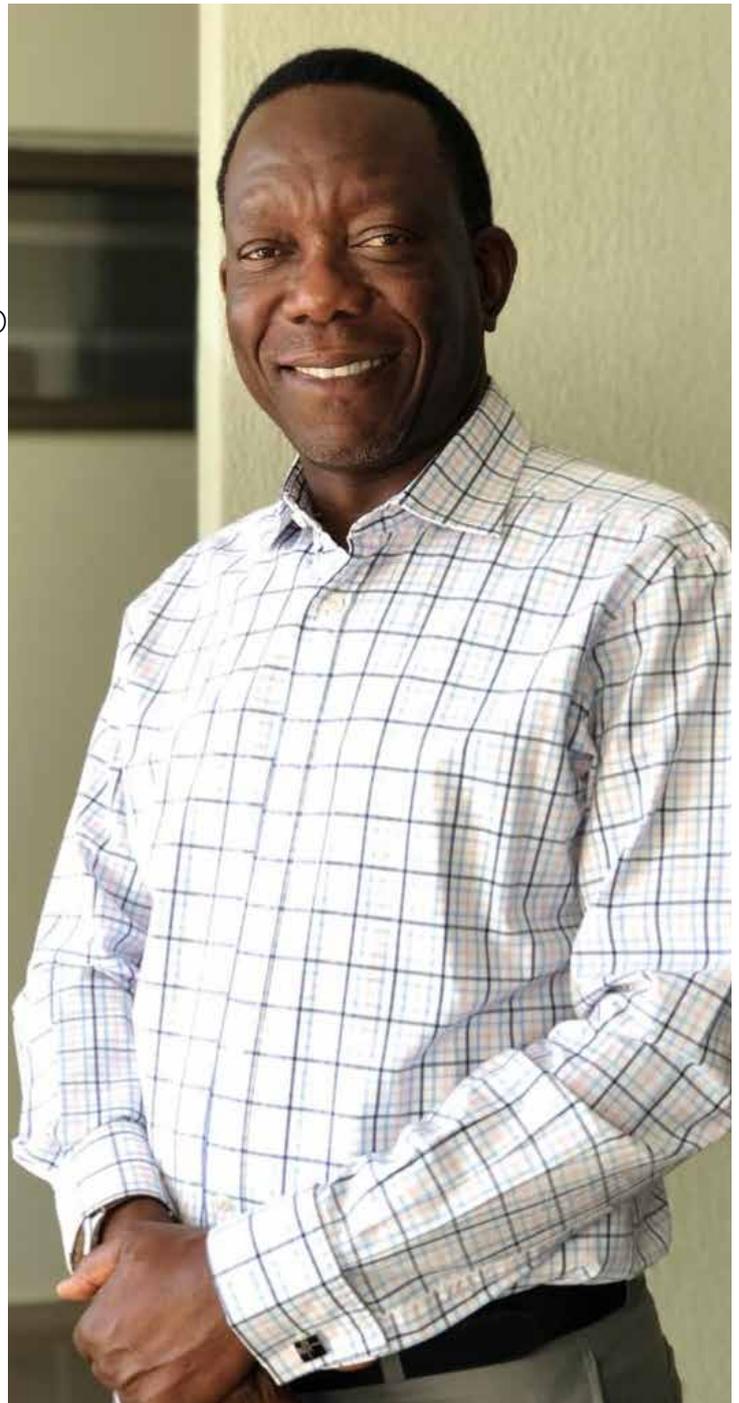
Esteemed reader, CRAN and NAMPOL recently signed a Memorandum of Understanding (MoU) to strengthen coordination and harmonise the two entities respective jurisdictions over matters of mutual interest, in order to secure the consistent application of respective laws governing the two entities.

NAMPOL and CRAN will jointly conduct investigations on search and seize exercises on the basis of the procedures, subject to the applicable laws within the borders of Namibia. The MoU further establishes a framework whereby the parties will seek to promote cooperation and coordination with cases where CRAN requires NAMPOL's presence when conducting investigations in order to minimise the duplication of activities.

On another front, the United Nations Educational, Scientific and Cultural Organization (UNESCO) hosted the 8<sup>th</sup> Annual World Radio Day on 13 February under the theme *“Dialogue, Tolerance and Peace”*. CRAN together with various stakeholders participated in and provided financial support amounting to N\$6,000.00 towards the hosting of this event. This support was necessitated by the fact that radio remains one of the most powerful mediums in Namibia in as far as reaching the widest audience for the dissemination of information and news.

As an independent Regulator and a State Owned entity, it is our role to ensure that all Namibians have access to ICT services and products, so that Namibians from all walks of life can benefit equally from the numerous opportunities offered by this vibrant industry. Thus we at CRAN must ensure that we regulate this industry in a proactive and robust manner so that ICT consumers are empowered, engaged and benefit from this industry.

It is my wish that this edition of the CRANicles will provide you with valuable information on the various activities and achievements as attained by CRAN.



**Thank you for taking time to read this edition of the CRANicles and thank you for your continued support as we together continue to *“Push ICT Forward in Namibia”*.**

*Festus K. Mbandeka*  
*Chief Executive Officer*

# OUT AND ABOUT AT THE TRADE SHOWS

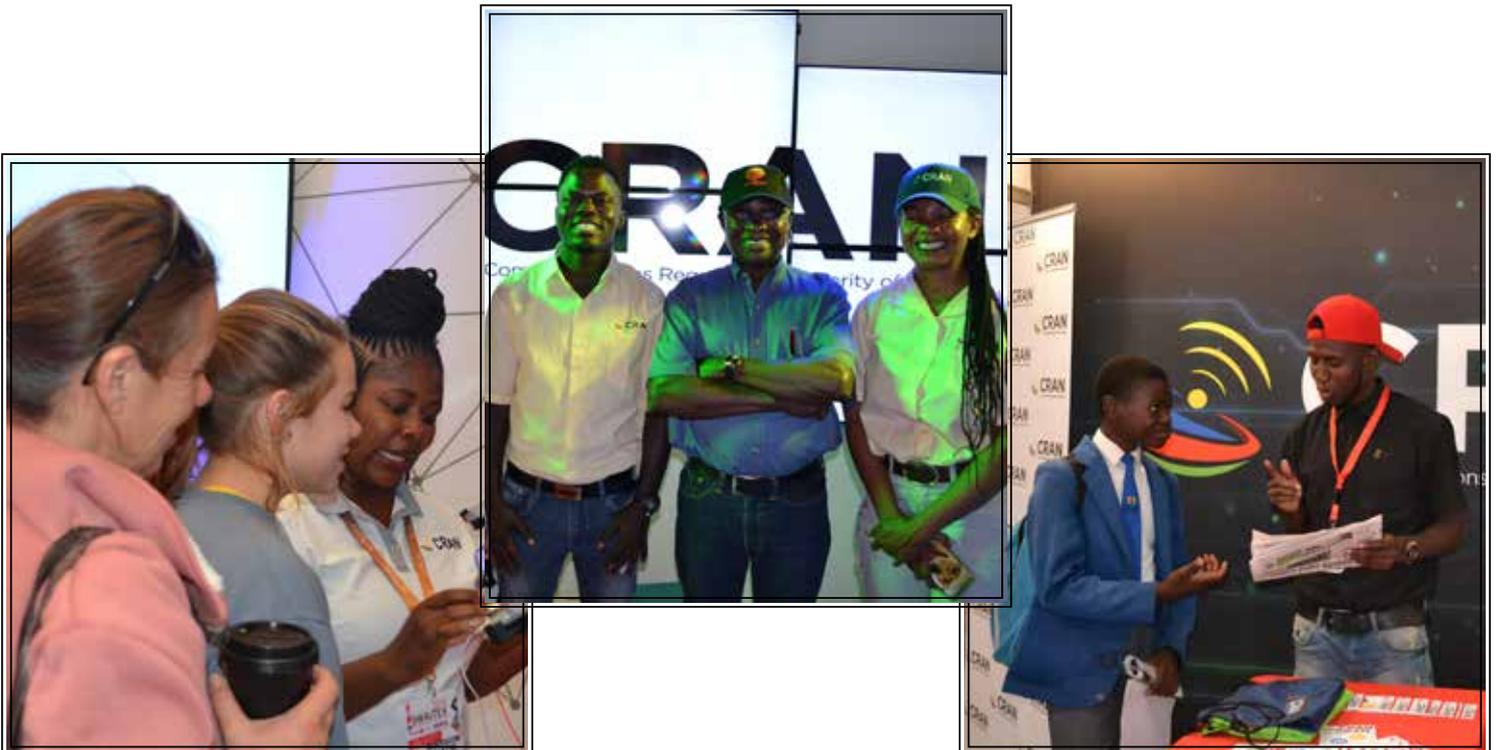


CRAN participated at various trade fairs and exhibitions during 2018 to educate and inform consumers about it's mandate and responsibilities and to create brand awareness.





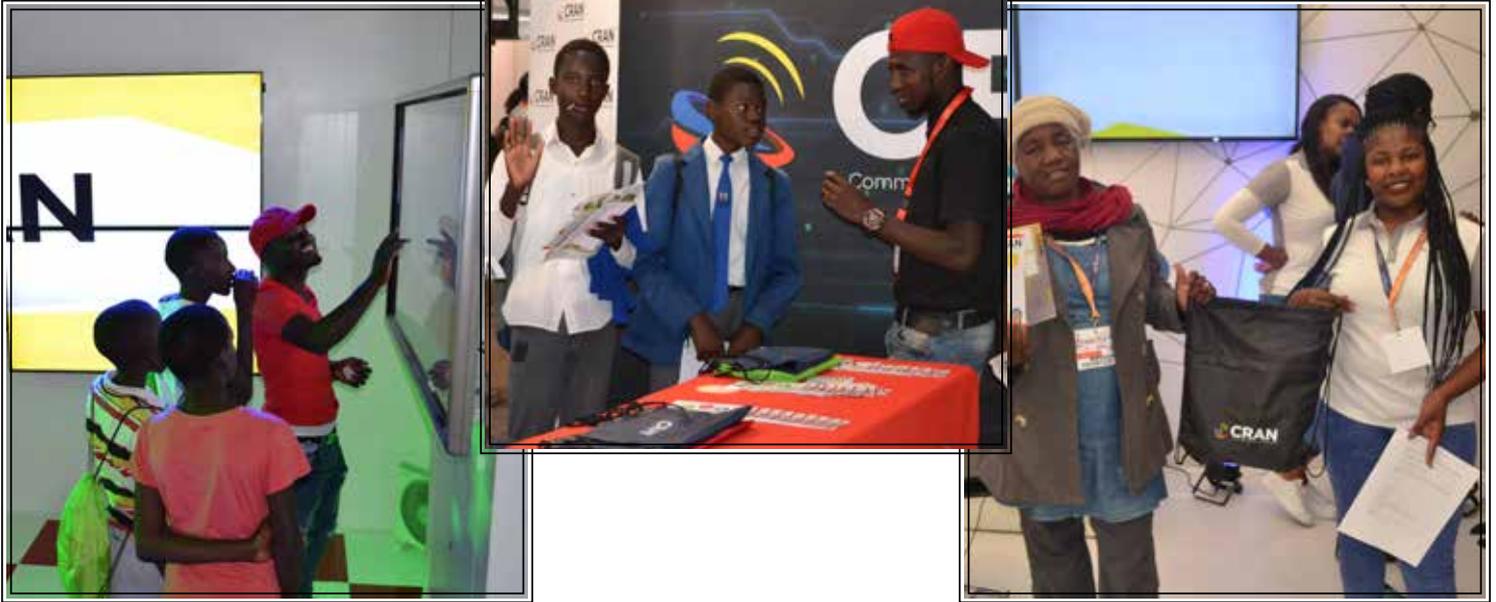
CRAN was awarded a silver certificate by the Windhoek Show Society for the best Indoor Stand category at the Windhoek Industrial and Agricultural Show in October 2018.





Consumers received valuable information on Consumer Complaint Procedures, Licensing Procedures, and Type Approval of Telecommunications Equipment.





Consumers participated in an informative quiz which could be accessed on iPad tablets at the stand. Most of the consumers positively commented towards the quiz and described it as informative and educative.

The interactive stand allowed visitors to participate in a fun, yet interactive quiz.





**Hon. Engel Nawatiseb, Deputy Minister of ICT speaking at the Summit**



**Hon. Stanley Simataa Minister of ICT, addressing the audience at the Summit**



**Hon. Stanley Simataa, Minister of ICT and Jairus Kapenda, Senior Corporate Communication Practitioner, CRAN receiving CRAN's financial commitment towards participating for the Summit**

**T**he 5<sup>th</sup> National ICT Summit themed “*Digital Transformation for a ICT Smart Namibia*” was one such event, that provided an ideal opportunity for brand presence. The Summit which was hosted at the Safari Hotel and Conference Centre took place from 15 to 17 October 2018.



**Jochen Traut Chief Operations Officer, CRAN presenting on 5G Technology: The Next Level of Innovation for a Smart Namibia**



**Festus K. Mbandeka Chief Executive Officer, CRAN with visitors at the CRAN stand**



**Ms. Jana Hybaskova, EU Ambassador to Namibia & Mr. Djaffar Moussa-Elkadhum, Head of UNESCO Namibia**

**D**uring the month of February 2019, CRAN, in partnership with UNESCO and other stakeholders celebrated World Radio Day under the theme “*Dialogue, Tolerance, Peace*”.

# UNIVERSAL ACCESS TO INFORMATION DAY

**C**RAN hosted a stakeholder consultative meeting on Regulatory Compliance Procedures during the celebrations of the UNESCO Universal Access to Information Day on 27 September 2018 at the United Nations House in Windhoek.

The participants received information on CRAN's Regulatory framework and the latest developments in CRAN.

Speaking at this event, CRAN's Chief Executive Officer, Festus K. Mbandeka encouraged stakeholders to actively engage the Authority, in order to share common goals and strive to provide quality services and products for the benefit of ICT consumers.

CRAN's Regulatory Compliance Legal Advisor, Shikongeni Ntinda, presented on the topic Regulatory Compliance Procedures.



***Kristof Itana***  
***Manager: Electronic Communications and Projects***



***Festus K. Mbandeka***  
***Chief Executive Officer***

# CRAN TAKES CONSUMER PROTECTION TO THE PEOPLE

**C**RAN participated in a consumer protection event held at the Western Suburbs Rugby Hall in Khomasdal in September 2018 which was organised by Final Year law students of the University of Namibia (UNAM). The event was hosted to enable the students to meet their academic requirements so as to successfully complete their studies. The students provided community members with much-needed information to raise awareness and knowledge on legal matters pertaining to consumer protection.

Various speakers from different institutions participated in this event on voluntary basis. CRAN's Legal Advice Department was represented by Emilia Nghikembua, Head: Legal Advice; Ester Embanga, Assistant Legal Advisor; and Samingo Kasaona, Temporary Assistant Legal Advisor. The team presented on the topic "*The protection of ICT consumers from abuse or exploitation from service providers*".

The platform provided an opportunity for CRAN to explain the consumer complaints procedures and other relevant information pertaining to its daily and mandatory activities of CRAN.



# ITU PLENIPOTENTIARY CONFERENCE

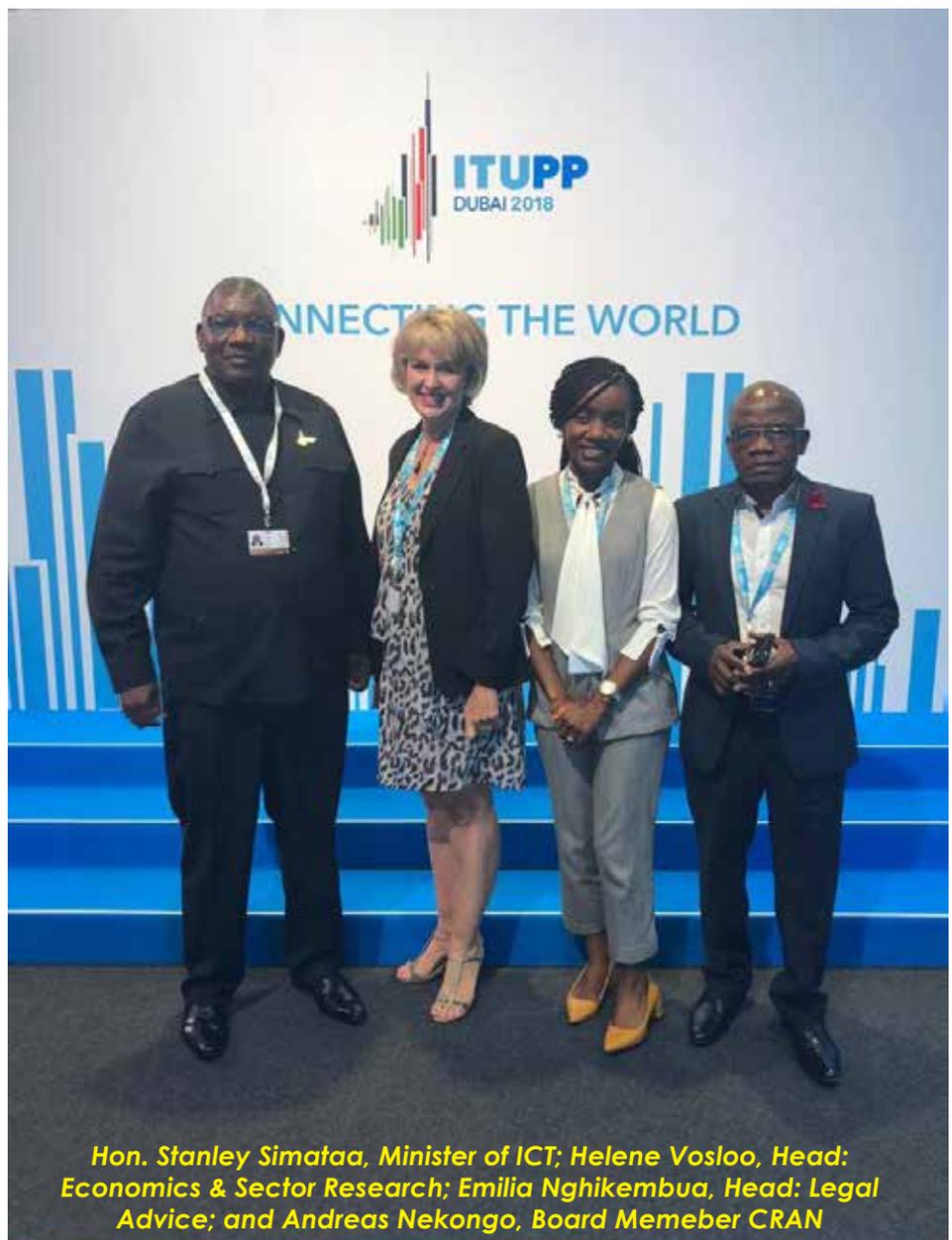
**T**he International Telecommunication Union (ITU) hosted the Plenipotentiary Conference in Dubai in late 2018. CRAN was represented by Board Member, Mr. Andreas Nekongo, Head: Legal Advice, Emilia Nghikembua and Head: Economics and Sector Research, Helene Vosloo.

The Conference elected a new leadership team, agreed on its four-year strategic and financial plan and provided supervision to the union on coupling technologies for good-use. Consumer protection was also discussed and the areas of discussion included the protection of consumers from the eminent dangers that comes with technologies and use thereof. The discussions focussed on safeguarding people from these eminent dangers and their subsequent misuse. Child online protection and cybersecurity were other topics discussed during the conference.

The Conference further deliberated on the implementation of the Sustainability Development Goals pertaining to ICT. In order to achieve growth, inclusiveness, sustainability, innovation and partnership. A new resolution was passed for the promotion

and recognition of small and medium sized enterprises (SMEs). ITU members believe that SMEs are at the forefront of development, hence the introduction of new innovations and ideas that account for the growth of the economy in developing countries.

The ITU further resolved to support gender equality through the review of its policies and practices in order to ensure the fair implementation of recruitment and training within the ITU.



# 5<sup>TH</sup> SADC PREPARATORY MEETING FOR WRC-19

**T**he 5<sup>th</sup> SADC Preparatory Meeting for World Radiocommunication Conference 2019 (WRC-19) was held from 22 to 25 January 2019 at the Namibia Institute of Public Administration and Management (NIPAM). The WRC-19 will take place in Sharm el-Sheikh, Egypt during October to November 2019.

The Preparatory Session was hosted in order to discuss the following matters:

- Revise the Radio Regulations and any associated frequency assignment and allotment plans,
- Address any relevant global radiocommunication issues,
- Instruct the Radio Regulations Board and the Radiocommunication Bureau and review their activities,
- Determine questions for study by the Radiocommunication Assembly (usually associated with WRC meetings) and its study groups in preparation for future WRCs.



*Delegates who attended the Preparatory Meeting for WRC-19*

# CRAN IMPOSES MORATORIUM

**C**RAN imposed a fifteen (15) month moratorium on the issuance of Spectrum Licenses in the frequency band 87.5 - 108 MHz, for the provision of analogue FM radio broadcasting services and Broadcasting Service Licenses, where the provision of such broadcasting services entails the use of radio waves in the aforementioned spectrum band. The increase in the number of Broadcasting Service Licensees has resulted in the scarcity of analogue FM

spectrum in most geographical areas in Namibia, particularly in urban areas.

The Authority therefore intends to conduct a review of the Frequency Channeling Plan for analogue FM radio broadcasting. The review will require a detailed spectrum analysis, coverage predictions, cross border coordination and analysis of various transmitter power outputs to ensure maximum use of the available radio frequency spectrum.

***The fifteen (15) month moratorium was imposed effective 22 January 2019 as per the Government Gazette No. 6826 under General Notice No. 5.***

**T**he Frequency Channelling Plan review will ensure that radio frequency spectrum is optimally utilized and managed in an orderly, efficient and effective manner.

In order to conduct the review for the Frequency Channelling Plan, it is necessary to ensure a static database of assigned spectrum to permit for an analysis of available spectrum, consider possible changes in frequency assignments and carry out coverage predictions and conduct an assessment in respect of power outputs and other technical requirements. It is therefore not possible to complete the review of the spectrum database while concurrently awarding new Spectrum Licenses to Broadcasting Service Licensees or amend existing Spectrum Licences.

As a result thereof, the imposition of a moratorium on applications for Spectrum Licenses is extended to applications for Broadcasting Service Licenses, should the applicant intend to use radio waves to provide FM Radio broadcasting services.

# CRAN AND NAMPOL SIGN MOU

**C**RAN signed a Memorandum of Understanding (MoU) with the Namibian Police Force (NAMPOL) on 29 January 2019. The MoU is aimed at strengthening coordination and harmonising of the two entities respective jurisdictions, over matters of mutual interest in order to secure the consistent application of respective laws governing powers to conduct investigations and search and seize exercises on the basis of the procedures subject to applicable laws and within the borders of Namibia.

The MoU establishes a framework whereby the parties will seek to promote cooperation and coordination with cases where CRAN requires NAMPOL's presence when conducting investigations and minimise the duplication of activities.

Given the complementary powers and responsibilities of the two Authorities in respect of conducting of investigations and searches within Namibia, the MoU will establish the manner in which the Parties will interact and cooperate within the laws applicable to each on this matter.

CRAN is authorised to appoint Inspectors to conduct investigations in respect of any unauthorised activities related to telecommunication services and networks, broadcasting and postal services and spectrum within the borders of Namibia. Such investigations will ensure that service providers in the ICT industry and ICT consumers alike are carrying out lawful activities as required by the Communication Act (No. 8 of 2009) and other applicable legislation.



*Festus K. Mbandeka, Chief Executive Officer and Lieutenant General Sebastian Ndeitunga, Inspector General of Namibian Police Force (NAMPOL)*



CRAN and NAMPOL Management

CRAN's Inspectors are authorised to obtain information from any person during an investigation and the Inspectors may examine any book, document, telecommunication facility and equipment and any other object and demand for information as required, to carry out inspections and investigations.

The Communications Act further provides that Inspectors appointed by the Authority investigates offences prohibited by the Act and CRAN may request a Police Officer to accompany him/her while conducting such investigations. An accompanying Police Officer, may exercise any power vested in him/her in accordance with any law in the presence of a CRAN Inspector. The MoU thus allows for such collaborations in conducting prolific investigations as part of the individual and collective responsibilities as two prominent Authorities in Namibia.

The Understanding between CRAN and NAMPOL is entered into on mutual respect and in a spirit of goodwill and will enable

smart partnership in respect of the laws that provides for the mandate of each entity to this agreement that are different and the MoU therefore maintains the independence of each entity but allows for practice of joint powers during such collaborations.

***All investigations will be conducted in the utmost professional manner and in accordance with the applicable legislation in a lawful manner in order to ensure fairness, the offering of quality and affordable services and products and compliance by all to serve the Namibian people.***

# CRAN HOSTS POSTAL & TYPE APPROVAL CONSULTATIVE MEETINGS

**C**RAN in January 2019 hosted two public consultative meetings on Regulations prescribing license categories and licensing application procedures for Postal Service Licensees and the amendment to the Regulations in respect of Type Approval and Technical Standards for Telecommunications Equipment respectively.

## **Consultative meeting on Regulations prescribing license categories and licensing application procedures for Postal Services Licensees**

The consultative meeting on Regulations prescribing license categories and licensing application procedures for Postal Services Licensees highlighted the mandate of CRAN in accordance with the Communications Act (No. 8 of 2009) to regulate telecommunication services and network, broadcasting services, postal services and the use and allocation of radio spectrum. In order to commence with the regulation of the postal sector, CRAN published a Notice in July 2018 inviting interested stakeholders to submit written comments to the Authority on the proposed postal regulations.

Regulation of the Postal Sector is at an advanced stage and the objectives of these Regulations are to prescribe Postal Service License categories, regulating the issuing, amendment, transfer and renewal of Postal Service Licenses and will upon enforcement be applicable to all Postal Service Licensees operating within the

jurisdiction of Namibia.

The Authority has, however, put the regulation of the Courier Sector on hold until further notice. The halt on courier sector regulation is due to a revised in-house strategy and the Authority intends to conduct a Regulatory Impact Assessment Study on Courier Services in Namibia.



**Emilia Eino**  
**Manager: Postal**

## **Consultative Meeting on the amendment to the regulations in respect of Type Approval and Technical Standards for Telecommunications Equipment**

The Type Approval consultative meeting aimed to provide an overview and give a comprehensive framework of the various types of telecommunication equipment that require and those that do not require Type Approval for the benefit of all ICT stakeholders. The consultative meeting created a platform to discuss mutual understanding pertaining to compliance and enforcement for the amendment to the regulations in respect of Type Approval and technical standards for telecommunication equipment.

Compliance of telecommunications equipment is not only based on national standards but are aligned with international standards applicable to Namibia. The Type Approval regulations prevents the operation and import of substandard equipment that are not compatible with local networks from entering into the country as such imported products may present health and safety hazards

to consumers. Type Approval of such equipment ensures that the operating frequency of telecommunications equipment and radio apparatus are in conformance with the national frequency band plan of Namibia.

The amended regulations will be applicable to all telecommunications equipment used, sold, offered for sale or connected to an electronic communications network within the borders of Namibia and are applicable to all persons, whether legal or natural persons, and the State.

All importers, vendors, patent owners and equipment manufacturers of telecommunication equipment are responsible to obtain Type Approval certificates from CRAN. Certification should be received prior to any goods entering the borders of the Republic of Namibia. Goods that reach the border without Type Approval certification will remain at the borders (at the cost of importers) until such time that certification received and goods are released and or returned.



*Emilia Nghikembua, Head: Legal Advice, Festus K. Mbandeka, Chief Executive Officer and Jochen Traut, Chief Operations Officer*

# CRAN HOSTS UAS & SPECTRUM CONSULTATIVE MEETINGS

**C**RAN hosted two public consultative meetings with the intention to make Universal Service Obligations Guidelines and Regulations prescribing procedures regarding application for, and amendment to, renewal or transfer of Spectrum Licenses.

## **Consultative Meeting on the intention to make Universal Service Obligations Guidelines**

The consultative public meeting on the intention to make Universal Service Obligations Guidelines was to clarify the position of CRAN with regard to the obligations of telecommunications service licensees in setting and complying with their universal service obligations as per the Communications Act (No. 8 of 2009). CRAN thus intends to implement the active imposition of Universal Service Obligations on Telecommunications Service Licensees in terms of the Communications Act.

The guidelines provide direction and stipulates the minimum set of services to be provided, the manner in which Universal Service obligations will be prescribed, managed and administered to ensure excellent provision of telecommunication services to locations and populations in Namibia that are not covered with satisfactory network infrastructure and service options.

The main objectives of the implementation of these Regulations is to ensure all citizens have access to a set of basic yet essential telecommunication services country-wide at affordable costs to assist

population groups and areas which are beyond the reach of the market and to empower communities to make use of telecommunication services and take advantage of the numerous opportunities and benefits on offer.

The Authority revealed the methods of imposing Universal Service Obligations which includes the modification of licenses, renewal, tendering and submission of bids, subsidies from the Universal Service Fund and by new applications of Universal Service Licenses.

Telecommunications Service Licensees shall be required to avail the minimum universal services to the general public or to school, higher education institutions, libraries, hospital, clinics, health facilities, or any similar public institutions, which serve the needs of the general public or that are available for use by the public.



**Consultative Meeting on the Regulations prescribing procedures regarding application for, and amendment, renewal or transfer of Spectrum Licenses**

The consultative meeting on the Regulations prescribing procedures regarding application for, and amendment, renewal or transfer of Spectrum Licenses focused on the regulatory framework with regard to establish the framework through which CRAN allocates radio frequency spectrum under the Frequency Band Plan.

The revision of the spectrum regulatory framework is necessitated for the implementation of the Authority's Spectrum Assignment Strategy and to establish a framework through which CRAN will allocate radio frequency spectrum under the Frequency Band Plan. The revision shall provide the long-term approach for conferring rights for Licensees, determine fair, efficient and Transparent Licensing procedures.

The objectives of Spectrum Management Strategy further aims to facilitate the availability of spectrum to be used as a tool to develop communications services and access to ICT infrastructure as a basis for social and economic development in urban and rural areas. The Regulations further promote competition through minimisation of constraints on spectrum use within a service and technology neutral license regime allowing similar services to be offered on different technology platforms. The Regulations promotes the effective and efficient use of spectrum within the digital dividend to address gaps



in communications services and access to ICT infrastructure.

Additionally, the Regulations sets conditions for spectrum use to ensure efficient use of a scarce resource and prevent anti-competitive practices such as hoarding of spectrum, promotes and if necessary enforces the freeing-up of spectrum space for assignment to emerging technologies and services by phasing out ageing technologies, ensuring fair distribution of spectrum between market players to provide services in conjunction with the category of service licences awarded.

The Regulations will ensure efficient use of spectrum and monitor, investigate and enforce adherence to the regulatory framework as pertaining to spectrum management as set out by the Authority.

The Spectrum Assignment Strategy as published will be implemented through the review of the Authority's current spectrum management regulatory framework.

To this end the Authority has commenced with its review of the:

- (i) Spectrum licensing procedures, and
- (ii) Spectrum licence conditions.