

CRAN INTRODUCES PRICE CAP AND ADJUDICATION OF DISPUTES REGULATIONS

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The Communications Regulatory Authority of Namibia (CRAN) recently hosted a consultative meeting on 11 July 2017 on the proposed regulations prescribing tariff limits for Telecommunications Services and proposed Regulations for Adjudication of Disputes.

The proposed Regulations prescribing tariff limits for Telecommunications Services will apply to licensees that are deemed to be dominant operators in the market for national data transmission and for those operators who provide telecommunications services for the pre-arranged connectivity in the form of leased lines. The Regulations apply to managed and unmanaged transmission services (independent of the protocol used such as PDH, ATM or Gigabit Ethernet).

“The purpose of these Regulations is to prescribe price caps, which licensees may charge for leased line and other pre-arranged connectivity” said Festus K. Mbandeka, Chief Executive Officer. He further stated that “CRAN increased the price caps with inflation from the original cost study which was completed in 2015 due to the fact that this decision was to ensure that Telecom Namibia is not negatively affected as a provider of leased lines”. Mbandeka added that the commencement of these Regulations is subject to sub-regulation (2), and it is envisaged that the Regulations will become effective on 01 January 2018. This will provide operators in the market enough time to implement the regulations and apply for new tariffs.

The proposed Regulations regarding procedures for Adjudication of Disputes, aims to define the nature and ambit of a dispute that CRAN is required to adjudicate in terms of the Communications Act No. 8 of 2009 and to set out applicable procedures for

adjudicating disputes. “The regulations make provision for alternative disputes resolution in the form of mediation and to regulate the procedures for such mediation. The Regulations will deal with the procedures for the resolution of complaints and requests for adjudication received by CRAN and will apply to complainants, and service providers”, concluded Festus K. Mbandeka.

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