



# CRANicles

Communications Regulatory Authority of Namibia



# Content

04

FORWARD BY THE CEO

06

CPM 19-2  
CONFERENCE  
IN GENEVA

08

CRAN HOSTS DIGITAL SOUND  
BROADCASTING TECHNOLOGIES  
& DEPLOYMENT WORKSHOP

10

CRAN HOSTS  
ANNUAL STAKEHOLDER  
ENGAGEMENT

11

WORLD CONSUMER  
RIGHTS DAY

12

INTERNATIONAL GIRLS  
IN ICT DAY

13

CRAN TURNS 8 YEARS

15

ITU REGIONAL  
RADIOCOMMUNICATION SEMINAR  
2019 FOR AFRICAN REGIONS

16

CYBERSECURITY CAPACITY  
MATURITY MODEL FOR NATIONS  
(CMM) ASSESSMENT

18

CRAN AND NAPWU  
SIGN RECOGNITION  
AGREEMENT

20

CRAN WELCOMES  
NEW BOARD OF DIRECTORS

22

CUSTOMER SUBSCRIPTION  
AGREEMENTS

# Editorial

## **GREETINGS ICT STAKEHOLDERS AND THE INDUSTRY AT LARGE.**

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

In this edition, we highlight national, continental and global ICT related events that occurred since our last edition namely, the Conference Preparatory Meeting (CPM-19) held in Geneva Switzerland, annual celebration of Girls in ICT Day, International Telecommunication Union (ITU) Regional Radiocommunication Seminar for African Regions held in Johannesburg South Africa and the Cyber Security Capacity Maturity Model for Nations (CMM) assessment workshop between CRAN and the Ministry of Information and Communications Technology (MICT).

To briefly conclude, CRAN is mandated to ensure that consumers are protected from exploitation and abuse in respect of price, quality, variety of services and user equipment supplied. Therefore, regarding the renewal of telecommunications service contracts, consumers are reminded that if they fails to extend or terminate their existing contract, the service provider is obliged to transfer the consumer to a standard package where the premium reflects a reduced subscription and no handset.

This is to ensure that consumer's services are not cut-off and that they are charged an amount that is reflective of the services they are receiving.

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

**Let's "Push ICT Forward in Namibia"!**

*Jairus Kapenda*

**Senior Corporate Communications Practitioner**



# 01

Welcome to another edition of our external publication “the CRANicles”.

The Authority’s organisational values underpins pursuit to excellence and service delivery and it is pleasing to note that these values are a part and parcel of what the organisation does, namely; Accountability, Passion, Innovation, Respect and Teamwork.

The Authority’s organisational values underpins pursuit to excellence and service delivery and it is pleasing to note that these values are a part and parcel of what the organisation does, namely; Accountability, Passion, Innovation, Respect and Teamwork.

CRAN’s values are the core of “what we do”, and “who we are”. The values assist the organisation to achieve its strategic objectives and goals and it serves as a guiding principles for the team’s internal conduct that determines how the Authority deals with our external strategic stakeholders.

I am overwhelmed by the pace at which the organisation is growing and during the month of May, CRAN celebrated 8 years. As a young and dynamic Regulator, the Authority continuously strives to engage, maintain and strengthen its relationship with all stakeholders in order to formulate regulations that provide innovative, well informed regulatory services to the ICT industry in Namibia.

One of CRAN’s key objectives and strategic focus areas is Stakeholder Engagement which entails consumer education and protection. CRAN hosted its 2nd Annual





Stakeholder Engagement event to provide stakeholders with an overview of CRAN's strategic plan annual activities, achievements and challenges.

Another critical framework/initiative developed was the Frequency Channelling Plan for Digital Sound Broadcasting workshop. This Plan would allow for the freeing up of more spectrum, which will result in the expansion of broadcasting services.

CRAN is mandated to ensure consumers are protected from exploitation and abuse in respect of prices, quality, variety of services and user equipment supplied. It is the Authority's mandate to also ensure consumers are empowered, engaged and educated about the regulatory processes. Therefore, World Consumer Rights Day (WCRD) was celebrated on 15 March 2019 under the theme "Trusted Smart Products".

In accordance with section 9 (1) of the Communications Act (No. 8 of 2009), the Minister of Information and Communication Technology (MICT) Honourable Stanley Simaata announced the appointment of the new CRAN

Board of Directors, effective from 01 July 2019 until 31 June 2022. The new Board of Directors' roles will be to assess for overall direction and strategy of the Authority.

On another front, CRAN signed a Recognition and Procedural Agreement with the Namibia Public Workers Union (NAPWU) to effectively manage industrial relations, in order to develop and foster a fair and equitable relationship between the two parties.

Last but not least, CRAN has been able to make significant strides in rolling out its Strategic Plan so far, which entails implementing numerous initiatives and legal frames in line with its mandate and core values. As an independent Regulator and a State Owned entity, the Authority will continue to regulate the ICT and Postal sector, for the socio-economic benefit of all Namibian.

**Festus K. Mbandeka**  
Chief Executive Officer

# CPM 19-2 CONFERENCE IN GENEVA





## CPM 19-12-Conference

Delegates that attended the event

# 02

The Conference Preparatory Meeting (CPM-19) held its 2nd session for the World Radiocommunication Conference (WRC-19) from 18 to 28 February 2019 in Geneva, Switzerland. CRAN was represented by Jochen Traut, Chief Operations Officer, Ronel le Grange, Head: Electronic Communications and Victor Simasiku, Senior Spectrum and Licensing Officer.

The session prepared a consolidated report to be used in support of the work for WRC-19 to be held in Egypt and focused on contributions from administrations, the Radiocommunication Study Groups and other sources concerning the regulatory, technical, operational and procedural matters to be considered by such conferences.

The International Telecommunication Union (ITU) Radiocommunication Sector (ITU-R) plays a vital role in the global management of the radio-frequency spectrum and satellite orbits (limited natural resources) which are increasingly in demand from a large and growing number of services such as fixed, mobile, broadcasting, amateur, space research, emergency telecommunications, meteorology, global positioning systems, environmental monitoring and communication services, that ensure safety of life on land, at sea and in the skies.

The ITU-R aims at creating the conditions for a harmonized development and efficient operation of existing and new Radiocommunication systems, taking due account of all parties concerned and to ensure interference free operations of Radio communication systems.

# CRAN HOSTS DIGITAL SOUND BROADCASTING TECHNOLOGIES & DEPLOYMENT WORKSHOP

## 03

**CPM 19-12-Conference**

Delegates that attended the event

With the moratorium on the issuance of Spectrum Use and Broadcasting Licenses in place, the Authority held a stakeholders workshop in March 2019 at the Windhoek Country Club and Resort, with Broadcasting Licensees to give feedback on the review of the FM Broadcasting Channeling Plan and the development of a frequency plan for Digital Sound Broadcasting.



Mr. Koenie Schutte from LS Telcom gave a detailed presentation on the FM Frequency Optimisation & DSB Frequency Plan which included the impact on the current FM Broadcasters as studies revealed that certain FM Frequency changes will be required.

The presentation highlighted some benefits to the broadcasting industry which includes the possibility to expand further with additional FM frequencies. Participants were enlightened on Digital Sound Broadcasting Technologies and Deployment, with case studies on various related topics which include Designing Digital Sound Broadcasting Networks.

**The advantages of dAB+ are:**

- It offers more services over a specific portion of spectrum than FM radio;
- DAB+ is more robust with regard to noise and multipath fading for mobile listening;
- Offers significant gains through its optimal spectrum utilisation along with transmitter power consumption; and
- Supports MFN or SFN deployment.

**The advantages of dRm30 are:**

- It significantly improves audio quality, noise immunity and signal robustness compared to analogue MW/SW;
- Reduced transmission infrastructure CAPEX and OPEX (compared to analogue MW/SW);
- Complements DAB+, allowing it to be used for covering larger areas and DAB+ covering smaller areas; and
- Supports MFN or SFN deployment.



# CRAN HOSTS ANNUAL STAKEHOLDER ENGAGEMENT

---

## 04

---

CRAN hosted its 2nd Annual Stakeholder Engagement event on 12 March 2019 at Avani Hotel, Windhoek, to provide stakeholders with an overview of CRAN's strategic plan annual activities, achievements and challenges (April 2018 to March 2021).

The event further served as an engagement platform between the Authority and its stakeholders to create mutual understanding on areas of mutual interests and collaboratively develop solutions to challenges to create understanding to improve relationships with stakeholders.

The event also created a platform to forge a closer working relationship with stakeholders, in order to be a dynamic regulator of the Information and Communication Technology (ICT) sector that transforms Namibia and its people into an active knowledge-based society able to derive the full socio-economic benefits of ICTs.



# WORLD CONSUMER RIGHTS DAY



## 05

World Consumer Rights Day (WCRD) was celebrated on 15 March 2019 under the theme **“Trusted Smart Products”**. The WCRD was first celebrated in 1983 and became an important annual day for mobilising citizen action and solidarity within the international consumer movement. The day presents an opportunity to promote the basic rights of all consumers and demand that consumer rights are respected and protected.

CRAN is mandated to ensure consumers are protected from exploitation and abuse in respect of prices, quality, variety of services and user equipment supplied. It is the Authority’s mandate to ensure that ICT consumers are empowered, engaged and educated about the right and obligations.

Consumer protection is an integral part of the Communications Act (No 8. of 2009) and the Authority endeavours to safeguard the rights of consumers and create awareness among consumers about their rights and responsibilities.



# INTERNATIONAL GIRLS IN ICT DAY

06

International Girls in ICT is an initiative backed by all ITU Member States to create a global environment that empowers and encourages girls and young women to have access to Information and Communication Technology (ICT) and that which it has to offer.

The day is celebrated annually on the fourth Thursday of April and it was celebrated on 25 April 2019 under the theme “**Expand Horizons, change attitude**”. Over 357,000 girls and young women have already taken part in more than 11,100 celebrations of International Girls in ICT Day in 171 countries worldwide.

# CRAN TURNS



## 07

CRAN celebrated its 8th Birthday on 18 May 2019 since its inception in 2011. The overall success has been defined by integrity, transparency, innovation, knowledge and teamwork. It is incredible how CRAN started with only five employees but, the organisation now boasts more than 60 employees and it will continue growing in knowledge and skills to effectively regulate the ICT sector.

### **Some of the legal and regulatory milestones achieved during the period are:**

- Regulations prescribing the Provision of Universal Services by Telecommunications Service Licensees;
- Regulations to ensure fair Competition in the Telecommunications Sector, Guidelines on the general interpretation and applicability of enforcement, hearing and penalty provisions in the Communications Act (No. 8 of 2009), amendments to the Regulations in respect of Type Approval and Technical standards for telecommunications equipment;
- Regulations for postal services; and
- Broadcasting Code for Broadcasting Licenses Issued in Terms of Section 89 of the Communications Act (No. 8 of 2009).



# 8



## ITU REGIONAL

# RADIOCOMMUNICATION SEMINAR 2019 FOR AFRICAN REGIONS

The International Telecommunication Union (ITU) Regional Radiocommunication Seminar for African Regions took place from 13 to 17 May 2019 in Johannesburg, South Africa. The seminar focused on concepts related to Spectrum Management, as well as the procedures associated to the recording of frequency assignments in the ITU Master International Frequency Register (MIFR) database.

The Radiocommunication Seminar was jointly organised by the Department of Telecommunications and Postal Services (DTPS), the Independent Communications Authority of South Africa (ICASA) and the International Telecommunication Union (ITU), in collaboration with the African Telecommunications Union (ATU). The seminar discussed the current regulatory framework for international frequency management and ITU-R Recommendations and best practices regarding the use of spectrum for both terrestrial and space services (satellite), including training on ICT tools developed by ITU for frequency notifica-

tions for those services and for the technical examinations. The seminar afforded an opportunity to participants to get hands on experience with ITU notification procedures, as well as the software and electronic publications made available by the Radiocommunication Bureau to the Administrations of member states and to the ITU-R sector members.

Furthermore, the seminar discussed 5G ecosystem challenges and opportunities for Africa and the IMT2020 (5G) roadmap and the challenges of 5G and their impacts.

# CYBERSECURITY CAPACITY MATURITY MODEL FOR NATIONS (CMM) ASSESSMENT

09

Cybersecurity CMM Assesment

CRAN and the Ministry of Information and Communications Technology (MICT) attended a Cyber Security Capacity Maturity Model for Nations (CMM) assessment meeting from 22 to 24 May 2019, at the Ministry of Lands and Resettlement offices in Windhoek.



The assessment measured a series of factors including Cyber Security policy and strategy, Cyber culture and society, standards organisations and technologies, legal and regulatory frameworks and Cyber Security education training and skills.

The focal objective of the assessment was to support Namibia with developing a national cyber security strategy. It is trusted to shaping an enabling environment for cyber security protection, as it will lead to the development of robust legal, policy and regulatory framework. MICT believes that the assessment will be a major contributing factor towards setting up Cyber Security in the country.

Additionally, the CMM Assessment was undertaken by the World Bank Group in co-operation with the Global Cyber Security Capacity Centre (GCSCC) of the University of Oxford. According to the assessment, the starting point of a CMM deployment is the drawing up of an agreement between the GCSCC and the host country represented by a government organisation (ministry or a regulator).

The GCSCC will work closely with the local host, which is made up of staff from the government organisation with which the agreement was drawn up, in organising the CMM review process.

# CRAN AND NAPWU **SIGN RECOGNITION** AGREEMENT



CRAN signed a Recognition and Procedural Agreement with the Namibia Public Workers Union (NAPWU) on 11 June 2019.



# 10

The purpose of the Agreement is to effectively manage industrial relations between CRAN and NAPWU in order to develop and foster a fair and equitable relationship between the two parties. The Agreement enables the Parties to collectively uphold the principles of freedom of association, as provided for in the Labour Act (No. 11 of 2007) and the Namibian Constitution.

In terms of the Agreement, NAPWU's responsibility is to represent the interests of its members within the bargaining unit, for the purpose of improved terms and conditions as stipulated in the individual employment agreements. The Parties therefore recognise their common interest and joint purpose in furthering the aims and objectives of the Agreement.

The parties commit to abide by the procedures set out in the Agreement in a spirit of mutual understanding and respect. The Authority recognises NAPWU as the exclusive bargaining agent for CRAN employees in job grades A1 to D2. Both parties recognise the need for joint consultation and collective bargaining on matters of mutual interest pertaining to CRAN employees.

If at any time during the life of the Agreement NAPWU fails to represent the majority of CRAN employees in the bargaining unit, the Authority may give NAPWU a 90 day notice in the prescribed form within which to acquire a majority. If NAPWU then fails to do so, the Authority shall be entitled to withdraw the recognition of the union and in that event the Agreement shall cease to be of force and effect.

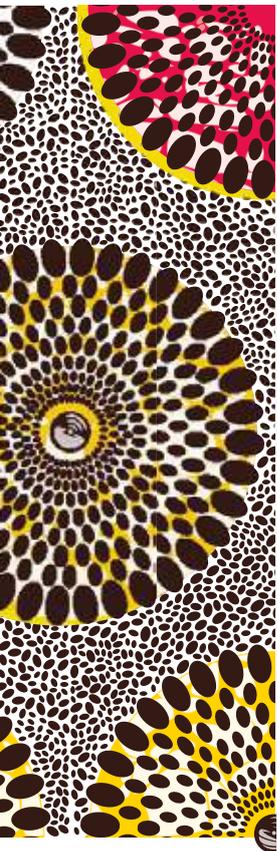
The parties also agree to establish a Negotiation Committee, which shall consist of not more than five (5) representatives from each Party. The Committee shall then elect one of its members as the Chairperson.

# CRAN WELCOMES NEW BOARD OF DIRECTORS

The Minister of Information and Communication Technology (MICT), Honourable Stanley Simataa, announced the appointment of the new CRAN Board Members effective 01 July 2019 to 31 June 2022.

At the official announcement of the new Board members, Honourable Simataa stated that the new Board will deliver (without any doubt), as the key policies are currently in place which they can only fine tune. The Board is responsible for the overall regulation of the communications industry in Namibia in accor-

dance with the provisions of the Communications Act (No. 8 of 2009) and are ultimately responsible for steering and setting strategic direction for the organization. The Board will do so in line with best practice and in adherence to the governance framework of CRAN.



**Mr. Heinrich M. Gaomab II**  
Chairperson



**Ms. Vivienne E. Katjuongua**  
Vice-Chairperson



**Mr. Thomas Mbome**  
Board Member



**Dr. Tulimevava Mufeti**  
Board Member



**Mr. Gerhard Coeln**  
Board Member



**Ms. Dorethy Smit**  
Board Member



# 1

In light of the above and in line with CRAN's Consumer Protection Regulations, an ICT Consumer lodged a complaint in 2016, against Telecom Namibia Limited regarding clause 2.1 of its standard terms and conditions of the Subscription Service Agreement. The said agreement states "consumers who do not exercise the option to renew their contracts, Telecom Namibia Limited will automatically renew same and in turn the consumers will continue to pay a subscription fee inclusive of the price for a handset, even though they do not receive the handset".

Therefore, the Authority gave a ruling on the principle and it is further mandated to ensure that the principle is reflected in the contractual provisions and the Authority's decision is in favour of the consumer.

The decision is based on the following:  
That Telecom Namibia should amend the terms and conditions of its clause 2.1 in the following respects:

**In respect of mobile contracts:**

- a. Telecom Namibia Limited shall in writing notify the Subscriber (30 days before the expiry of the duration of the Agreement), that his/her contract is lapsing on XXXXXX date and that he or she is entitled to extend the Agreement by a further contract period, in which event the Subscriber shall be entitled to an offer for a new device.
- b. The extension of the subscription agreement in accordance with this clause shall be in writing and shall be signed by or on behalf of both parties. In the event of such extension, the remaining provisions of the subscription agreement will apply.
- c. Where the agreement is not extended in accordance with the provisions of clause 2.1 (a) but nevertheless continues to operate indefinitely in accordance with clause 2.1 hereof, then the subscriber shall be automatically transferred to a standard package with a reduced subscription and shall not be entitled to a new device. "

# CUSTOMER SUBSCRIPTION AGREEMENTS

CRAN is mandated to ensure that consumers are protected from exploitation and abuse in respect of price, quality, variety of services and user equipment supplied.

## **In respect of fixed contracts:**

- a. Telecom Namibia Limited shall in writing (30 days before the expiry of the duration of the Agreement), notify the Subscriber that his/her contract is lapsing on XXXXXX date and that he or she is entitled to extend the Agreement by a further contract period. In which event the Subscriber shall be entitled to receive advice from Telecom Namibia Limited on the package to subscribe to depending on whether the Subscriber wants to renew or proceed with the agreement.
- b. The extension of the subscription agreement in accordance with this clause shall be in writing and shall be signed by or on behalf of both parties. In the event of such extension, the remaining provisions of the subscription agreement will apply.
- c. Where the Agreement is not extended in accordance with the provisions of clause 2.1 a) it shall continue to operate indefinitely on a 30 day period.

CRAN is mandated by the Communications Act (No. 8 of 2009) to ensure consumer protection and therefore inform all Telecom Namibia customers and potential customers of the decision. The reasons for the decision are published in the Government Gazette of 13 June 2019 and same are available on request and are available to any and all interested stakeholder.

CRAN is committed to treat all consumer related issues as a matter of public policy and in the best interest of ICT consumers. Aggrieved and affected consumers are encouraged to manage their cases with their service providers directly. If they feel their cases have not been addressed within 14 days from the date in which it was formally reported to the service provider, consumers are then encouraged to follow CRAN's consumer complaint procedures.

**For any queries in this regard contact Mrs. Emilia Nghikembua, Head: Legal Advice, at Tel: (061) 222 666 or via electronic mail to ENghikembua@cran.na.**

 @CRANAMIBIA  CRANAMIBIA  Communications Regulatory Authority of Namibia (CRAN)



**Physical address:** Communications House, No. 56 Robert Mugabe Avenue, Windhoek, Namibia.

**Tel:** +264 61 222 666, **Email:** [communications@cran.na](mailto:communications@cran.na)

[www.cran.na](http://www.cran.na)