



CRAN

Communications Regulatory Authority of Namibia

OPENING REMARKS

FOR

FESTUS K. MBANDEKA
CHIEF EXECUTIVE OFFICER

AT THE

**PUBLIC HEARING ON REGULATIONS PRESCRIBING
LIMITS OF TARIFFS FOR TELECOMMUNICATIONS
SERVICES (“PRICE CAP REGULATIONS”)**

AND

**REGULATIONS REGARDING PROCEDURES FOR
ADJUDICATION OF DISPUTES**

11 JULY 2017

- **Esteemed ICT stakeholders,**
- **CRAN Management,**
- **CRAN colleagues,**
- **Invited guests,**
- **Ladies and gentlemen,**

Good morning and a very warm welcome! Thank you for accepting our invitation to this important Public Hearing on regulations prescribing limits of tariffs for telecommunications services, also known as “Price Cap Regulations” and regulations regarding procedures for Adjudication of Disputes, as per the Communications Act No. 8 of 2009.

The proposed **regulations prescribing limits of tariffs for Telecommunications Services i.e. Price Cap Regulations**, will apply to licensees that are deemed to be dominant operators in the market for national data transmission, providing telecommunications services for the pre-arranged connectivity in the form of leased lines. It also applies 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 the price caps which licensees may charge for leased line and all other pre-arranged connectivity.

Ladies and gentlemen

Price caps do not apply to customer premises devices, whether such devices are on the customer’s own premises or not or, whether such devices are owned or leased by the customer. A dominant licensee providing telecommunications services for resale must offer leased lines and pre-arranged connectivity with and without customer premises devices.

A reseller and an end user may use their own customer premises devices if approved in accordance with the Regulations in respect of Type Approval and Technical Standards for Telecommunications Equipment.

Commencement of these Regulations are subject to sub-regulation (2), and will become effective on 01 January 2018.

Ladies and gentlemen

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 intends to make provision for alternative disputes resolution in the form of mediation and to regulate the procedures for such mediation. The Regulations will also provide for ancillary matters connected to the adjudication of disputes by CRAN.

The purpose of these Regulations is to regulate the procedures for the resolution of complaints and requests for adjudication received by CRAN, and it will apply to complainants, service providers and interception centres where applicable.

Ladies and gentlemen

Let me conclude and by inviting you once again to utilise this platform to make your voice heard. We, in turn, promise to consider your valuable input as we advance to the next step in this process. Together, we can produce a balanced and vibrant legal framework that will serve the interests of the consumers and the ICT industry as a whole.

I thank you!