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Our Ref: SB/sb/COM1/0004
Your Ref:

8 November 2017

By Email: ENghikembua@cran.na

Att: Emilia Nghikembua
Head: Legal Advice
CRAN
Moth Centre, Unit 3
Pieter Muller Street
Windhoek
Republic of Namibia

Dear Madam,

RE: COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA
(CRAN) // TELECOM NAMIBIA LTD & OTHERS // CASE NR: HC-
MD-CIV-MOT-GEN-2017/00147:

The above matter refers.

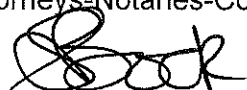
We confirm that the judge yesterday issued a temporary order suspending the effect of Judge Parker's order. This essentially means that section 23(2)(a) of the Communications Act 8 of 2009 and the regulations are 'deemed' to be constitutional for the time being.

This order has a return date of 19 January 2018 which means we will have to argue on that date whether or not this temporary order will continue until the Appeal had been finalised. We annex a copy of the order. The appeal is set down for 6 April 2018.

In order to make use of this window of opportunity we suggest that CRAN write to each licensee obliged to pay the regulatory levy as soon as possible and demand payment of only the capital amount of the outstanding levies to date.

Sincerely yours,

ANGULACO INC.
Attorneys-Notaries-Conveyancers



S.N. BOCK
(Associate)



HC-MD-CIV-MOT-GEN-2017/00147
IN THE HIGH COURT OF NAMIBIA, MAIN DIVISION,
HELD AT WINDHOEK
ON TUESDAY, THE 07th DAY OF NOVEMBER 2017
BEFORE THE HONOURABLE JUSTICE UEITELE

In the matter between:

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA APPLICANT

and

TELECOM NAMIBIA LIMITED	1st RESPONDENT
ATTORNEY GENERAL OF THE REPUBLIC OF NAMIBIA	2nd RESPONDENT
MINISTER OF INFORMATION AND COMMUNICATION	
TECHNOLOGY	3rd RESPONDENT
MOBILE TELECOMMUNICATIONS LIMITED	4th RESPONDENT
DIMENSION DATA NAMIBIA (PTY) LIMITED	5th RESPONDENT
MEDIA NETWORK FOR CHRIST	6th RESPONDENT

COURT ORDER

Having heard **GEORGE COLEMAN** assisted by **RAMON MAASDORP**, on behalf of the applicant and **ELIAS SHIKONGO**, on behalf of the first respondent and **NORMAN TJOMBE** on behalf of the respondents and having read the application in respect of the postponement of the hearing (of the application to stay an order declaring section 23(2)(a) of the Communications Act, 8 of 2009 unconstitutional) and other documents filed of record for in respect of case **HC-MD-CIV-MOT-GEN-2017/00147**:

IT IS HEREBY ORDERED THAT:

1. The first respondent (Telecom Namibia) has not presented an acceptable explanation as to why it failed to lodge the application for postponement immediately after the 31 October 2017.

AngulaCo Inc
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Block C
First Floor
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Centaurus Street
Windhoek
Khomas Region
Namibia

AND TO:

ELIAS SHIKONGO
On behalf of
1st Respondent
Shikongo Law Chambers
4 Banting Street
Windhoek
Namibia
Namibia

Attorney General of the Republic of Namibia
2nd Respondent
c/o The Offices of the Government Attorneys
2nd Floor
Sanlam Building
Independence Avenue
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c/o Hendrik Witbooi drive and Ara Street

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