

CRAN AND NAMPOL SIGN MOU

FOR IMMEDIATE RELEASE

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The Communications Regulatory Authority of Namibia (CRAN) 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” said Festus K. Mbandeka, Chief Executive Officer, CRAN.

He stated that 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. 9 of 2009) and other related legislation.

“CRAN's Inspectors are authorised to obtain information from any person during the investigation and the Inspector 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” said Mbandeka.

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 by any law in the presence of CRAN Inspectors. The MoU thus allows for such collaborations in conducting prolific investigations as part of our 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 are different and the MoU therefore maintains the independence of each entity but allows for practice of joint power 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 product delivery and compliance by all and to serve the Namibian people.

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.

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