



**OPENING STATEMENT**

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**COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA**

**PUBLIC HEARING – REGULATIONS REGARDING THE SHARING OF  
INFRASTRUCTURE**

**28 JANUARY 2016**

- **Esteemed Telecommunications and Broadcasting Licensees,**
- **Distinguished Colleagues from CRAN,**
- **Consumers and other interest groups present,**
- **Members of the Media,**
- **Ladies and Gentlemen.**

Good morning and a warm welcome to this Public Hearing on the Regulations pertaining to the Sharing of Infrastructure. I am pleased that once again we are having another consultative meeting in order to deliberate and eventually finalise this critical legal framework for the telecommunications and broadcasting sector.

The consultative process on this matter commenced in July 2014 with the publication of the study document on infrastructure sharing in the Government Gazette. This provided an opportunity for public comments to establish a legal framework for infrastructure sharing in Namibia. The compilation of the above study document took numerous issues and dynamics into considerations, including and not limited to, size of the market, the vastness and disperse nature of our country and its population.

As the regulator, it is our responsibility to ensure that there an efficient sharing and optimal utilisation of infrastructure in order maximise efficiently on investment capital for the much needed industry development, that would benefit the licensees and consumers.

CRAN has thus a crucial role to fulfil in putting the regulations in place by which telecommunications and broadcasting licensees and other stakeholders will engage with one another on infrastructure sharing.

Ladies and gentlemen

Sections 50 and 86 respectively set out obligations of the licensees and public utilities in this regard. The Communications Act in particular requires dominant carriers to share infrastructure if it will promote fair competition or to adhere to other objects of the Act. [The Act further stipulates that “a dominant carrier must lease any infrastructure to other carrier/s or must allow the latter carrier to install telecommunications equipment on such infrastructure or to otherwise utilise such infrastructure” subject to some specific conditions (Sec.50(1). ]

However, this duty is not solely placed on the shoulders of dominant licensees but is extended to any other person/utilities providing telecommunications service and or broadcasting services as well as or public utilities that provides, gas, water and electricity.

The Communications Act (Section 50(9) further requires that any conditions and charges concerning the sharing of infrastructure are reasonable, non-discriminatory and fairly apportioned among carriers and utilities.

Ladies and gentlemen

Therefore the primary purpose of the proposed legal framework is to provide for infrastructure sharing regime that would create fair competition and a

leveled playing field between and amongst existing and future licensees. And this will help at lowering barriers for new entrants and other industry players. This will ultimately enable the offering of a wider range of communications services to the consumers without the unnecessary duplication of infrastructure. It is therefore our belief that the increased competition will stimulate innovation and create much needed socio-economic benefits to both consumers and the industry.

Director of Ceremonies, Ladies and Gentlemen,

CRAN cannot do this alone; we need your continued participation, support and input into this process, so that together, we produce a well-balanced and vibrant legal framework that will serve the interests of both the licensees, the consumers and the industry as a whole.

In conclusion, I wish to thank you for being here today to participate in this important deliberations. We want to assure you that your submissions and inputs shall be taken into consideration in crafting the final Regulations in this regard.

I thank you!