

TANZANIA COMMUNICATIONS REGULATORY AUTHORITY



LICENCE GRANTED UNDER

**THE TANZANIA COMMUNICATIONS REGULATORY AUTHORITY ACT, 2003
BY THE TANZANIA COMMUNICATIONS REGULATORY AUTHORITY**

TO

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FOR

**THE PROVISION OF NETWORK FACILITIES IN THE
UNITED REPUBLIC OF TANZANIA**

Month Year.....

LICENCE GRANTED BY TANZANIA COMMUNICATIONS REGULATORY AUTHORITY TO FOR PROVISION OF NETWORK FACILITIES IN THE UNITED REPUBLIC OF TANZANIA

1.0 DEFINITION

In this licence, unless stated otherwise or the context otherwise requires:-

- 1.1.1 **“Acts”** means the Tanzania Communications Regulatory Authority Act No.12 of 2003, Tanzania Communications Act No.18 of 1993 and Broadcasting Services Act No.6 of 1993.
- 1.1.2 **“Authority”** means the Tanzania Communications Regulatory Authority
- 1.1.3 **“Licence”** means authority to construct, provide, own and make available Network Facilities
- 1.1.4 **“Licensee”** means any person holding Network Facilities licence
- 1.1.5 **“Minister”** means the Minister responsible for communications
- 1.1.6 **“Network Services”** means any provision and operation of fixed and/or mobile services.
- 1.1.7 **“Application fee”** - means fee paid by an applicant when applying for licence.
- 1.1.8 **“Licence fee** - means a fee paid to the Authority for operating the license.
- 1.1.9 **“Royalty” means** charge paid by a licensee for a right of providing licensed services.
- 1.1.10 **“Initial Licence Fee”** means non recurrent upfront fee paid to the Authority for the grant of the licence
- 1.1.11 **“Network Facilities”** means any element or combination of elements of physical infrastructure used principally for, or in connection with, the provision of network services, but does not include customer equipment

2.0 SCOPE OF THE LICENCE

- 2.1. The Tanzania Communications Regulatory Authority in accordance with Section 6 of the Tanzania Communications Regulatory Authority Act, 2003 and Section 11 of the Tanzania Communications Act, 1993 hereby grants a licence to to provide network facilities in the United Republic of Tanzania.

2.2. The Licensee is authorized to operate in (area) and provide (Facilities)

3.0 **THE LICENCE PERIOD**

This licence is granted on (the Effective Date) for a period of 25 (twenty five years) (“the licence period”).

4.0 **RENEWAL OF THE LICENCE**

4.1 The Authority shall renew the licence in accordance with the Tanzania Communications Regulatory Authority Act, 2003.

4.2 One year prior to the expiry of the licence period, the Licensee shall apply to the Authority for the renewal of this licence in accordance with the applicable provisions of the Acts and Regulations.

4.3 The Licence terminates upon expiry of the licence term if not renewed.

5.0 **OWNERSHIP AND CORPORATE OBLIGATION**

The Licensee shall comply with the following conditions on ownership:-

5.1 to furnish the Authority with a copy of the company shareholding structure as required by the Communication Licensing Regulations

5.2 to notify the Authority in writing of any changes to its ownership and control structure.

5.3 to notify the Authority of any joint venture into which it enters with any other person or entity holding a licence issued by the Authority.

6.0 **LICENCE FEES**

6.1 The Licence Fees in respect of this Licence and its renewal shall be as determined by the Authority.

6.2 Initial Fee.....

6.3 An annual fees of

6.4 Royalty% of Annual Gross Turnover

6.5 The Royalty shall be paid quarterly in arrears. Any Royalty delayed for more than thirty (30) days shall attract an interest at prevailing official Bank lending rate.

7.0 **COMPLIANCE WITH THE LAW**

The Licensee shall comply with the provision of the Acts and other laws of the United Republic of Tanzania.

8.0. COMPLIANCE WITH REGULATORY REQUIREMENTS

The Licensee shall comply with the provisions of the regulations and rules issued under the Acts.

9.0. COMPLIANCE WITH SPECTRUM PLAN

9.1 The licensee shall comply with the spectrum plan issued under the Acts.

9.2 Where the Licensee intends to use Radio systems, he shall separately apply for Radio Frequency users Licence required for the systems and shall comply with the Radio Communications Regulations.

10.0 PROVISION OF NETWORK FACILITIES

The Licensee shall provide network facilities in accordance with the applicable recommendations of the International Telecommunication Union, other International standardisation bodies and any relevant regulations.

11.0 PERFORMANCE GUARANTEE

11.1 The Licensee shall guarantee performance of the terms and conditions of the licence and shall execute a guarantee in favour of the Authority subject to performance bank guarantee/performance bond requirement under the Licensing Regulations, 2005.

11.2 A Performance Bank Guarantee/Performance Bond of Us \$being 10 % of the investment cost for the licence category, valid for one year from Bank in the prescribed form shall be submitted to the Authority.

ISSUED THIS DAY OF

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DIRECTOR GENERAL
TANZANIA COMMUNICATIONS REGULATORY AUTHORITY