

GOVERNMENT NOTICE NO. 316 published on 2/4/2021

TANZANIA COMMUNICATIONS REGULATORY AUTHORITY ACT,
(CAP.172)

RULES

(Made under section 48(2)(g))

TANZANIA COMMUNICATIONS REGULATORY AUTHORITY (BUNDLE TARIFFS,
PROMOTIONS AND SPECIAL OFFERS) RULES, 2021

- Citation 1. These Rules may be cited as the Tanzania Communications Regulatory Authority (Bundle Tariffs, Promotions and Special Offers) Rules, 2021.
- Interpretation 2. In these Rules, unless the context otherwise requires-
- Cap. 172 “Act” means the Tanzania Communications Regulatory Authority Act;
“Authority” means Tanzania Communications Regulatory Authority;
“basic tariff” means a tariff structure whereby, the subscribers are charged directly from the main account as they consume telecommunication services;
“bundle services” means one or more telecommunication services packaged together and sold as a single or combined unit;
“bundle tariff” means a tariff for a single or a combination of more than one telecommunication service, made available to all or a segment of customers;
“promotion and special offer” means any information whose content is controlled directly or indirectly by the licensee, and communicated to the mass market via different communication channels with the intention of influencing choice, opinion or behaviour of consumers;
“service provider” means a person licensed by the Authority to provide any electronic telecommunication services;
“subscriber” means a person who receives telecommunication services under an agreement with or pursuant to terms and conditions established by the service provider; and
“tariffs” means any charge, price, levy and underlying terms and

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	conditions imposed by service provider for services provided.
Bundle services	<p>3.-(1) A service provider shall not offer bundle services without the approval of the Authority.</p> <p>(2) Subject to subrule (1) the offered bundle services shall be categorized as follows-</p> <ul style="list-style-type: none">(a) less than twenty four hours;(b) daily;(c) weekly;(d) monthly;(e) more than a month; and(f) non-expiry bundles. <p>(3) A service provider shall make available all information of the approved bundles in their website in English and Kiswahili and publish in widely circulated newspaper and electronic media.</p> <p>(4) A service provider shall ensure that bundle tariffs are in line with applicable price floor and price cap as determined by the Authority.</p>
Conditions for bundle services	<p>4.-(1) A service provider shall not have more than fifty bundles containing desired combinations of services including voice, data and/or SMS, in the market at once except for international and roaming bundles.</p> <p>(2) Subject to subrule (1), bundles introduced in the market shall not be withdrawn, modified or changed within a period of three months after approval.</p> <p>(3) Service provider shall use simple, clear and measurable terms and conditions of bundles, specifying all details including areas where such service is available, eligibility, download and upload speed for data.</p>
Changes in approved bundle services	<p>5. Where the service provider changes approved bundle services, such changes shall not affect existing subscribers who had already purchased the bundle services.</p>
Non-expiring bundle services	<p>6. A service providers shall provide several choices of non-expiring bundle services accessed in the main menu, and adopt a common name as “non-expiring bundles” for easy of identification.</p>
Mandatory usage notifications	<p>7.-(1) A service provider shall provide its subscribers with usage notifications when bundle services depletion reach 75 percent and 100 percent.</p>

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(2) Notwithstanding subrule (1), subscribers shall have the right to track their data usage by downloading the service provider's online application on their smart phones.

Charges on
basic tariffs

8.-(1) A service provider shall introduce a mechanism that gives option to subscribers of bundle services to choose and accept to be charged basic tariffs once units in subscribed bundles are exhausted.

(2) For the purpose of subrule (1), the opt-out mechanism shall be default.

Roll over of
unused units

9. A service provider shall implement bundle roll-over option to allow subscribers to roll-over unused units in bundle services subject to purchase of the same bundle services before expiry.

Transfer of
data units

10.-(1) A service provider shall allow subscribers of bundle services to transfer data from one subscriber to not more than two subscribers in the same network.

(2) The minimum transferrable data units shall be 250Mb.

(3) Notwithstanding subrule (1), the transferred data units or part of the transferred data shall not be transferred to other subscribers.

Cost based
bundle
service

11.-(1) A service provider shall offer cost based bundle services that when dis-aggregated, unit tariff for each service shall be above associated total cost of such service.

(2) A service provider shall not throttle data in a bundle all the time when the bundle is valid.

Promotions
and special
offers

12.-(1) A service provider shall not operate more than three promotion and special offers concurrently on voice, Short Message Service and data.

(2) Subject to subrule (1), promotion and special offer shall-

(a) specify duration;

(b) have a minimum period of one month and maximum period that does not exceed three months; and

(c) not be repeated before the lapse of three months.

(3) A service provider shall use simple and clear terms and conditions of promotion and special offers.

Dar es Salaam,
29th March, 2021

JAMES M. KILABA
Director General

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