



THE UNITED REPUBLIC OF TANZANIA  
MINISTRY OF COMMUNICATION AND INFORMATION  
TECHNOLOGY  
TANZANIA COMMUNICATIONS REGULATORY  
AUTHORITY



Ref. No: EB.32/160/01/191

28<sup>th</sup> February, 2025

Managing Director,  
Arise Africa Company Limited,  
T/A Impact FM Radio (Radio Missionaries Tanzania),  
P.O. Box 548,  
**DODOMA.**

**DECISION ON COMPLIANCE ORDER**

*(Made pursuant to the Compliance Order issued to Arise Africa Company Limited, (formerly known as Impact FM Radio) T/A Radio Missionaries Tanzania on 3<sup>rd</sup> October, 2024)*

**1.0 INTRODUCTION**

- 1.1 On the 13<sup>th</sup> April, 2022, the Tanzania Communications Regulatory Authority (hereinafter referred to as "**the Authority**") issued a District Content (Radio Broadcasting) Services Licence (hereinafter referred to as "**the Licence**") and assigned Radio Frequency Spectrum to Arise Africa Company Limited, T/A Radio Missionaries Tanzania (hereinafter referred to as "**the Licensee**") for provision of radio broadcasting services.
- 1.2 The Licence issued requires the Licensee, among other things, when providing licensed services, to comply with laws, regulations and Licence conditions;
- 1.3 Section 15(1) of the Electronic and Postal Communications Act, [Cap 306 R.E 2022] read together with Regulation 10(1) of the Electronic and Postal Communications (Licensing) Regulations, 2018 as amended, require the Licensee to pay Licence fees;
- 1.4 Section 21 (h) of Cap 306 stipulates that, repeated failure of the Licensee to pay Licence fees as stipulated under the law is a material breach that may lead to cancellation of a license under Section 22 of Cap 306; and

- 1.5 The Authority's records show that, while providing licensed services, and despite several reminders from the Authority, the Licensee has repeatedly failed to pay regulatory fees amounting to Tanzania Shillings Forty-Four Million Seven Hundred Sixty-Five Thousand (TZS 44,765,000)

## **2.0 THE COMPLIANCE ORDER**

On the 3<sup>rd</sup> October, 2024, the Authority issued a Compliance Order requiring the Licensee to submit written explanations and appear before the Authority on 22<sup>nd</sup> October, 2024 at 10:00 a.m. at the Authority's Central Zone Offices to show cause as to why legal and regulatory measures should not be taken against the Licensee for repeatedly failure to pay regulatory fees amounting to Tanzania Shillings Forty-Four Million Seven Hundred Sixty-Five Thousand (TZS 44,765,000) contrary to the requirement of section 15(1) of Cap 306 read together with Regulation 10(1) of the Electronic and Postal Communications (Licensing) Regulations, 2018.

## **3.0 THE HEARING**

The Licensee filed written defence and appeared for the hearing before the Authority on 22<sup>nd</sup> October, 2024 represented by Mr. Sylvester Ngombaniza, Chief Executive Officer of Radio Missionaries Tanzania (formerly Impact FM Radio) also Chief Executive Officer and Secretary to the Board of Arise Africa Limited, and Mr. Amani Bendera, Manager to the Radio Missionaries Tanzania and the Assistant Secretary to the Board of Directors of Arise Africa Limited. The Licensee submitted in defence as follows:

- 3.1 They admitted to have repeatedly failed to pay the Licence fees and acknowledged receiving reminders from the Authority to make payments of regulatory fees. They further admitted that they have never paid any fee since renewal of their Licence on April 2022.
- 3.2 As for the reasons for their repeated failure to pay for the regulatory fees, they submitted that, soon after renewal of their Licence, they experienced a number of business challenges, which contributed to the Licensee being forced to be out of air for some time, and impacted their ability to pay for their regulatory fees.



- 3.3 In addition, the Licensee's CEO asserted that, on 2020 when he took over ownership and management of the company, he was not aware of the Licensee's outstanding regulatory.
- 3.4 The Licensee submitted that they are now back on air and in a position to do business following the inspection and clearance by the Authority on their equipment. They have managed to secure several contracts for advertisements which will enhance their revenues.
- 3.5 The Licensee committed to adhere to their financial obligations and ensuring that all payments are made timely. They presented their proposal for payment schedule to the regulatory fee for years 2024/2025 and 2025/2026 and further committed to abide by the terms.
- 3.6 When inquired by the Authority on previous commitments, the Licensee admitted having committed to pay all their outstanding regulatory fees in 2023, and never honoured their commitment.
- 3.7 In their closing submission, the Licensee requested the Authority to refrain from taking legal action, since the Licensee is determined to clear the outstanding debts, regularize the Licensee's operations and continue to provide services in accordance with the Licence conditions.

#### **4.0 CONSIDERATION OF THE LICENSEE'S DEFENCE**

Having heard the Licensee's oral submission and read their written defence, the Authority has the following observations: -

- 4.1 The Authority notes the Licensee's admission to their repeated failure to pay regulatory fees amounting to Tanzania Shillings Forty-Four Million Seven Hundred Sixty-Five Thousand (44,765,000).
- 4.2 Regarding the Licensee's defence that, they experienced a number of business challenges which resulted into switching off the radio station, the Authority reminds the Licensee that, overcoming business challenges, is part and parcel of their technical and financial capabilities on which the Authority relied upon in renewing the Licence. Further, it is in the Authority records that the Licensee went

incommunicado immediately after renewal of their Licence, as such, the defence is regarding business challenges is unfounded. The Licensee was supposed to inform the Authority on the challenges faced before suspension of the services.

4.3 On the defence that the new Management was not aware of the outstanding fees, the Authority revisited its records and observed that, on 14<sup>th</sup> December 2020, the Licensee wrote a letter to the Authority requesting to present a fresh renewal Licence application for Arise Africa Limited T/A Radio Missionaries Tanzania. In the said letter, the same current CEO admitted to the total outstanding amount of TZS. 49,105,000 at the time. The Authority further wishes to remind the Licensee that, the Licence was issued to the company with perpetual succession, therefore, the change of company's management has nothing to do with company's liability to pay regulatory fees.

4.4 The Authority further notes that previously, on 13<sup>th</sup> July 2024 the Licensee was issued with a Compliance Order, requiring them to pay the outstanding regulatory fees within thirty (30) days and to suspend provision of services upon expiry of the 30 days. However, the Licensee even after the expire of 30 days continued to provide services and never paid the outstanding regulatory fees.

4.5 As for the Licensee's claim, that they were inspected by the Authority and were cleared for providing services on air, the Authority revisited its records and found that there was neither inspection nor express authorisation. Instead, when the Authority was conducting its normal routine regulatory inspection for various towers and equipment of various service providers, the Authority came across the Licensee technicians at a particular site, installing a transmitter without any notification to the Authority. Nevertheless, even if they would have been inspected, such inspection has nothing to do with their failure to pay regulatory fees.

4.6 The Authority notes the Licensee's submission on their determination to clear the outstanding regulatory fees, however, as per the Authority's records, the Licensee had previously expressed the same commitment and failed to honour.



## 5. DECISION

Having considered the Licensee's admission and defence regarding their failure to pay regulatory fees, the Authority finds the Licensee to have breached the law and Licence conditions;

**NOW THEREFORE**, by virtual of Section 114 and 22(a) of the Electronic and Postal Communications Act [Cap 306 R.E.2022] and Section 48 (2) and (3) of the Tanzania Communications Regulatory Authority Act [Cap 172] hereby Arise Africa Company Limited T/A Impact FM Radio (Radio Missionaries Tanzania), to:

- 1) pay, within sixty (60) days from the date of this decision, outstanding regulatory fees of Tanzania Shillings Forty-Four Million Seven Hundred Sixty-Five Thousand (TZS 44,765,000); and
- 2) failure by the Licensee to comply with the first order of this decision, the Licence issued to Arise Africa Company Limited T/A Impact FM Radio (Radio Missionaries Tanzania), will be suspended.

**TAKE NOTICE** that, should Arise Africa Company Limited T/A Impact FM Radio (Radio Missionaries Tanzania), fail refuse or neglect to comply with this order, the Authority shall proceed to take further stern legal actions that may include cancellation of Licence, retrieval of radio frequency spectrum and other measure to recover the outstanding fees.

This Order is issued on the .....<sup>28</sup>.....day of February, 2025



Digitally Signed By JABIRI KUWE  
BAKARI  
Fri Feb 28 23:05:43 EAT 2025

Dr. Jabiri K. Bakari  
**DIRECTOR GENERAL**

This Compliance Order Decision is served upon and received by Arise Africa Company Limited T/A Impact FM Radio (Radio Missionaries Tanzania), on this ..... day of March, 2025.

Name: .....

Signature: .....

Designation: .....

*S. Mwanambani*  
*S. Mwanambani*  
*M. Mwanambani*

