



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



Ref. No: EB.32/160/01/200

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

Managing Director,  
Ruvuma Radio FM Limited,  
Ruvuma FM,  
P.O. Box 50,  
57442 MBEYA.

**DECISION ON COMPLIANCE ORDER**

*(Made pursuant to the Compliance Order issued to Ruvuma Radio FM Limited T/A Ruvuma FM Radio on 25<sup>th</sup> September, 2024)*

**1 INTRODUCTION:**

- 1.1 The Tanzania Communications Regulatory Authority (hereinafter referred to as "**the Authority**") On the 28<sup>th</sup> January 2019, issued a District Content Radio Broadcasting Services Licence (hereinafter referred to as "**the Licence**") and assigned Radio Frequency Spectrum to Ruvuma Radio FM Limited T/A Ruvuma FM 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, requires the Licensee to pay Licence fees.
- 1.4 Section 21(h) of Cap 306 stipulates that repeated failure of a licensee to pay Licence fees as provided for under the law is a material breach that may lead to cancellation of Licence under section 22(a) of Cap 306.
- 1.5 Regulation 39(2) of the Electronic and Postal Communications (Licensing) Regulations, 2018 requires a holder of an Individual Licence to apply to the Authority for renewal of the Licence, twelve (12) months before expiration.
- 1.6 While providing the licensed services and despite several reminders from the

- (a) Repeatedly failed to pay regulatory fees amounting to Tanzania Shillings Ten Million, Two Hundred Eighty-Two Thousand, and Seven Hundred (TZS. 10,282,700) 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; and
- (b) Failed to renew the Licence and continued to provide licensed services without a valid Licence contrary to Regulation 39(2) of the Electronic and Postal Communications (Licensing) Regulations, 2018 and section 13 of Cap 306.

## **2. THE COMPLIANCE ORDER**

On 25<sup>th</sup> September, 2024 the Authority issued a Compliance Order to Ruvuma Radio FM Limited pursuant to Section 48 of the Tanzania Communications Regulatory Authority Act, Cap. 172 requiring Ruvuma Radio FM Limited to appear before the Authority on 11<sup>th</sup> October, 2024 at 14.00 hours the date which was later rescheduled to 18<sup>th</sup> October, 2024 to show cause as to why further legal action should not be taken against Ruvuma Radio FM Limited for: -

- (a) Repeated failure to pay regulatory fees amounting to Tanzania Shillings Ten Million, Two Hundred Eighty-Two Thousand, and Seven Hundred (TZS. 10,282,700) 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; and
- (b) Failure to renew the Licence and continued provision of licensed services without a valid Licence contrary to section 13 of Cap 306.

## **3 THE HEARING**

3.1 Ruvuma Radio FM Limited submitted their written defence and appeared for hearing before the Authority on 18<sup>th</sup> October, 2024 represented by Mr. Emmanuel Michael Komba, the Chief Executive Officer of Ruvuma Radio FM Limited. Ruvuma Radio FM Limited submitted the following in defence:

3.1.1 Admitting to have repeatedly, failed to pay regulatory fees amounting to Tanzania Shillings Ten Million, Two Hundred Eighty-Two Thousand, and Seven Hundred (10,282,700). However, Ruvuma Radio FM Limited submitted that, on 28<sup>th</sup> August, 2024 when they paid to the Authority a total



of Tanzania Shillings One Million (TZS. 1,000,000) the amount which reduced their outstanding Licence fee to Tanzania Shillings Nine Million, Two Hundred Eighty-Two, and Seven Hundred (TZS. 9,282,700);

3.1.2 Ruvuma Radio FM Limited further submitted that the short circuiting of their transmitter has been one of the major and recurring problem which occurred for about three times in the past one year, and that such recurrence impacted the provision of services as the station was off air for a considerable period of time. This, resulted into financial difficulties. Ruvuma Radio FM Limited assured the Authority that their transmitter has now been fixed following a complete overhaul of the wiring of the transmitter and that the Radio Station has been continuously on air for the past one month;

3.1.3 Ruvuma Radio FM Limited further admitted have been in operating the Radio station without a valid Licence after its expiry on January 2024. Ruvuma Radio FM Limited submitted that, failure to renew the Licence was caused by a number of factors including the short circuiting of their transmitter and the outstanding regulatory fees;

3.1.4 Ruvuma Radio FM Limited assured the Authority on their commitment to clear the outstanding regulatory fees because their source of income is stabilizing since they are getting advertisement, which generate about Tanzania Shillings Two Million (TZS. 2,000,000) per month;

3.2 In their closing submission Ruvuma Radio FM Limited requested the Authority not to take legal actions as Ruvuma Radio FM Limited remains dedicated to serve the public and once the outstanding amount has been cleared Ruvuma Radio FM Limited will be in a position to apply for renewal of the licence.

3.3 To cement their commitment, Ruvuma Radio FM Limited proposed the plan to clear the whole current outstanding amount in two instalments, whereas the first instalment of Tanzania Shillings Four Million (TZS. 4,000,000) will be made on or before 30<sup>th</sup> November 2024 and the second instalment of Six Million (TZS. 6,000,000) will be made on or before 30<sup>th</sup> December 2024.

#### **4. CONSIDERATION OF RUVUMA LIMITED'S DEFENSE**

Having heard Ruvuma Radio FM Limited's oral submission and read the written defence, the Authority had the following observations:

- 4.1 The Authority notes Ruvuma Radio FM Limited's admission to the repeated non-payment of the regulatory fees contrary to the requirement of Section 15(1) of Cap 306 and regulation 10(1) of the Electronic and Postal Communications (Licensing) Regulations, 2018 and failure to renew their license hence operate without having a valid licence from the Authority contrary to contrary to Section 13 of Cap 306;
- 4.2 Regarding Ruvuma Radio FM Limited's defense that their non-compliance was due financial difficulties caused by short circuiting of their transmitter, the Authority is of the stand that, the reason given is not enough to justify the non-compliances. Further, the conduct of Ruvuma Radio FM Limited's non response to the Authority's several demand letters one of which being the demand letter dated 28<sup>th</sup> August 2020 on outstanding regulatory fess amounting to Tanzania Shillings Seven Million and Sixty-One Thousand (TZS. 7,061,000), indicates Ruvuma Radio FM Limited's mal intension not to comply to the Licence conditions;
- 4.3 The Authority notes the fact that Ruvuma Radio FM Limited has made part payment of Tanzania Shillings Five Million (TZS 5,000,000) after the hearing.

## **5. DECISION**

- 5.1 Having considered Ruvuma Radio FM Limited's admission and their defence, the Authority finds Ruvuma Radio FM Limited to be in breach of the law and licence conditions by failure to pay regulatory fees amounting to Tanzania Shillings Ten Million, Two Hundred Eighty-Two, and Seven Hundred (TZS. 10,282,700) contrary to the requirement of sections 15(1) of Cap 306 read together with Regulation 10(1) of the Electronic and Postal Communications (Licensing) Regulations, 2018, and failed to renew license hence continued operate without license contrary to the provision of Regulation 39(2) of the Electronic and Postal Communications (Licensing) Regulations, 2018;
- 5.2 Considering the fact that after the hearing, Ruvuma Radio FM Limited made part payment of Tanzania Shillings Five Million (TZS 5,000,000) hence reducing the outstanding regulatory fess to Tanzania Shillings Five Million Two Hundred Eighty-Two Thousand Seven Hundred (TZS 5,282,700); and



**NOW THEREFORE** by virtual of Section 114 of Cap 306 R.E.2022 and section 48 (2) and (3) of the Tanzania Communications Regulatory Authority Act [Cap 172] hereby orders Ruvuma Radio FM Limited to:

- 1) Pay, within sixty (60) days from the date of this decision, outstanding regulatory fees subject of this Order, amounting to Tanzania Shillings Five Million Two Hundred Eighty-Two Thousand Seven Hundred (TZS 5,282,700) and apply for Licence renewal within thirty (30) days upon fulfillment of order 1 of this decision; and
- 2) Failure by Ruvuma Radio FM Limited to comply with this decision, Ruvuma Radio FM Limited will be suspended from providing licensed services.


**TAKE NOTICE** that, should Ruvuma Radio FM Limited fail, refuse or neglect to comply with this order, the Authority will proceed to take further stern legal actions that may including suspension of provision of services, 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 22:50:51 EAT 2025  
Dr. Jabiri K. Bakari  
**DIRECTOR GENERAL**

This Compliance Order Decision is served upon and received by **Ruvuma Radio FM Limited** on this..... day of March, 2025.

Name: EMANUEL N. KOMBA

Signature: 

Designation: STATION MANAGER

**RUVUMA FM**  
**BOX 224**  
**MENGA**

(Official Stamp)

*(This Compliance Order Decision is issued in duplicate. Sign both copies and retain your copy while the other copy is to be returned to the Authority to authenticate due service of the Order.)*