



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

N\$2.00

WINDHOEK - 22 November 2004

No.3326

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Government Notices

MINISTRY OF INFORMATION AND BROADCASTING

No. 250

2004

AMENDMENT OF RADIO REGULATIONS: RADIO ACT, 1952 (ACT NO. 3 OF 1952)

The Minister of Information and Broadcasting has under section 18 of the Radio Act, 1952 (Act No. 3 of 1952), and with effect from 1 January 2005 -

- (a) amended the Radio Regulations promulgated under Government Notice R.2862 of 28 December 1979, as set out in the Schedule below; and
- (b) repealed Government Notice No. 147 of 16 July 2001 and Government Notice No. 245 of 15 December 2001.

SCHEDULE

1. In these regulations, "the Regulations" means the Radio Regulations promulgated under Government Notice R.2862 of 28 December 1979, as amended by Government Notices No. 71 of 9 November 1990 and No. 76 of 30 June 1992, General Notice No. 286 of 16 December 1993, Government Notices No. 250 of 1 December 1997, No. 52 of 1 April 1990, No. 147 of 16 July 2001 and No. 245 of 15 December 2001.

2. Chapter 6 of the Regulations is amended, by the substitution for regulation E1 of the following regulation:

“Certificate, licence and examination fees

E1. The Namibian Communications Commission may issue the certificates and licenses set out in Column A of the Table, upon payment of the fees set out in Column B of the Table.

**TABLE
CERTIFICATE, LICENCE AND EXAMINATION FEES**

COLUMN A		COLUMN B
		FEES
1. AMATEUR RADIO		
1.1	All classes of licences	N\$60-00
1.2	Beacon	N\$60-00
1.3	Examination	N\$60-00
1.4	Guest or special event licence	N\$60-00
1.5	Repeater station including radio link	N\$60-00
2. AERONAUTICAL		
2.1	Aircraft station	N\$120-00
2.2	Glider / Micro-light	N\$48-00
2.3	Ground station	N\$72-00
2.4	Navigation aids / Beacons	N\$48-00
2.5	Operator certificate Radiotelephony (including duplicate)	N\$60-00
3. MARITIME		
3.1	Beacon	N\$48-00
3.2	Operator certificate Radiotelephony (including duplicate)	N\$60-00
3.3 Ship station		
3.3.1	Commercial	N\$180-00
3.3.2 Coast Station		
3.3.2.1	Medium and high frequency band	N\$660-00
3.3.2.2	Very high frequency band	N\$600-00
3.4	Yacht and Ski-boat station	N\$48-00
4. LAND MOBILE SERVICE		
4.1	Alarm station for private use (see item 6.1 for alarm systems)	N\$200-00
4.2 Base or Mobile station		
4.2.1	Citizen band	N\$48-00
4.2.2	27/29 Mhz band	N\$48-00
4.2.3	Station with one or more simplex frequency channels	N\$48-00
4.2.4 Repeater (Private)		
(a)	Duplex frequency Urban area including 20 radios	N\$1 200-00
(b)	Duplex frequency Rural area including 10 radios	N\$360-00
(c)	Simplex frequency (same radios as (a) & (b))	N\$216-00
(d)	Additional simplex frequency	N\$120-00
4.3	Experimental station (valid for 6 months)	N\$120-00
4.4 Paging		
4.4.1	Station which is used other than that indicated under item 6.4	

(a)	One-way	N\$12-00
(b)	Two-way	N\$48-00
4.5	Radio Link Station	
4.5.1	Radio link below 1000MHz	N\$720-00
4.5.2	Radio link above 1000 MHz; per MHz calculated on the assigned bandwidth per frequency	N\$4000-00
4.6	National Occupancy	N\$720-00
4.7	Club Frequency (same as for item 4.6)	N\$720-00
5.	HIGH FREQUENCY (HF) RADIO LICENCE	
5.1	Fixed / mobile station Telecom Manual Network	N\$120-00
5.2	Monthly fee for private, cross border and RDD frequencies (include annual licence fee, payable quarterly and in advance)	N\$60-00
5.3	Fixed radio station above 400W	N\$1 200-00
6.	RADIO-COMMUNICATION SYSTEMS	
6.1	Alarm	
6.1.1	Urban complexes (per control room and per frequency)	N\$4 000-00
6.1.2	All other areas (per control room and per frequency)	N\$1 000-00
6.2	Load Management (per control room)	N\$4 000-00
6.3	Message Handling (two-way)	N\$1 000-00
6.3.1	Urban complexes	
(a)	Per single frequency channel	N\$1 800-00
(b)	Per double frequency channel	N\$2 400-00
6.3.2	All other areas	
(a)	Per single frequency channel: minimum fee as for 40 two-way mobile stations	N\$900-00
(b)	Per double frequency channel: minimum fee as for 40 two-way mobile stations	N\$1 200-00
6.4	Paging (one-way)	
6.4.1	Application	N\$2 500-00
6.4.2	Per control room	N\$8 250-00
6.5	Radio Trunking	
6.5.1	For a maximum of one control channel per base station	N\$48-00
6.5.2	For each additional double frequency or if only one channel is used at a base station	N\$3 600-00
6.5.3	Telemetry Systems	N\$600-00
6.6	Repeater (Community)	
6.6.1	Urban complexes	N\$2 400-00
6.6.2	All other areas	N\$1 440-00
6.7	Cellular Radio Service	
6.7.1	Basic fee	As per licence
6.7.2	Additional fee as per 200kHz frequency pair consecutively	N\$10 500-00
7.	SATELITE (LAND MOBILE AND MARITIME)	
7.1	INMARSAT	
7.1.1	A terminal	N\$1 800-00
7.1.2	B, C and M terminal (64kbit/s)	N\$720-00
7.1.3	D terminal	N\$300-00
7.1.4	Commercial operator	N\$5 000-00
7.1.5	INMARSAT service provider	As per licence
7.2	Up link digital 64kbits/s (include V-SAT)	
7.2.1	Private operator	N\$6 000-00

7.2.2	Commercial operator	N\$60 000-00
7.3	Up link broadcasting signal distribution fixed satellite earth station	N\$30 000-00
7.4	Mobile or fixed satellite news gathering station (per month or part thereof)	N\$2 500-00
7.5	GMPCS	
7.5.1	Service provider	As per licence
7.5.2	Spectrum usage	As per licence
7.6	Gateway licence (international) Private	N\$50 000-00
7.7	Uplink frequency / 64kbits/s	N\$6 000-00
8.	RADIO DEALER CERTIFICATE	
8.1	Telephones (cellular, cordless, satellite)	N\$120-00
8.2	Radio equipment (two-way radios)	N\$144-00
8.3	Radio communication / Broadcasting equipment	N\$144-00
9.	BROADCASTING TRANSMITTER / FREQUENCY USAGE	
9.1	Microwave Multipoint Distribution System (MMDS)	N\$18 000-00/Channel
9.2	Radio Transmitter Station Licence (Commercial and Community)	
9.2.1	0-100 Watt (ERP)	N\$600-00
9.2.2	101-999 Watt (ERP)	N\$1 200-00
9.2.3	Above 1 000 Watt (ERP)	N\$1 800-00
9.3	Television Transmitter Station Licence (Commercial and Community)	
9.3.1	0-100 Watt (ERP)	N\$6 540-00
9.3.2	101-1000 Watt (ERP)	N\$8 040-00
9.3.3	Above 1000 Watt (ERP)	N\$10 020-00
9.4	Transmitter Station Licence (National Broadcaster)	
9.4.1	Radio Transmitter below 499 Watt	N\$240-00
9.4.2	Radio Transmitter above 500 Watt	N\$1 500-00
9.4.3	Television Transmitter Station licence below 249 Watt	N\$600-00
9.4.4	Television Transmitter Station licence above 250 Watt	N\$8 400-00
9.5	HF Radio Station Licence	
9.5.1	(0-399 Watt)	N\$600-00
9.5.2	Above 400 Watt	N\$1 500-00
9.6	Other Services	
9.6.1	Special event broadcast licence Max 10 Watt	N\$500-00
9.6.2	TV links within the broadcast band (470-862 MHZ)	N\$6 540-00
9.6.3	Second radio broadcasting frequency in same area (Gap Filler)	N\$6 000-00
9.6.4	Second television broadcasting frequency in same area (Gap Filler)	N\$24 000-00
10.	MISCELLANEOUS	
10.1	National Security Forces	N\$66 000-00
10.2	Telecom Namibia	N\$1 200 000-00
10.3	Competency certificate (radios above 400W)	N\$60-00
10.4	Amendments to any licence	N\$50-00
10.5	Re-activation of licence	N\$500-00
10.6	Photocopies per sheet of A4	N\$1-00
10.7	Late payment of licence fees	2.5% of fee per month overdue
10.8	Private telecommunications licences	
10.8.1	National occupancy	N\$50 000-00
10.8.2	Area restriction	N\$10 000-00
10.9	Deposit levy	1 year licence fee
10.10	Duplicate licence	N\$60-00

Note:

Amounts will be calculated on a monthly basis with a minimum fee of N\$48-00

Urban complexes: District of Windhoek, Okahandja, Walvis Bay, Swakopmund, Oshakati, Ondangwa

High Sites: Rossing Mountain, Signal Berg, Erongo Mountain.”.

MINISTRY OF INFORMATION AND BROADCASTING

No. 251

2004

AMENDMENT TO REGULATIONS PROMULGATED UNDER THE NAMIBIAN COMMUNICATIONS COMMISSION ACT, 1992

The Minister has under section 27 of the Namibian Communications Commission Act, 1992 (Act No. 4 of 1992), made the regulations set out in the Schedule.

SCHEDULE

1. In these regulations, “the Regulations” means the Regulations under the Namibian Communications Commission Act, 1992, published under Government Notice No. 25 of 25 February 1994.

2. Regulation 2 of the Regulations is substituted for the following regulation:

“Application for a broadcasting licence.

2. An applicant shall -

- (a) make an application, for the attention of the Secretariat of the Commission, for a broadcasting licence substantially in the form as set out in the annexure; and
- (b) pay the following applicable application fees:
 - (i) N\$2 400-00 for a new broadcasting licence;
 - (ii) N\$2 400-00 for the renewal of a broadcasting licence; and
 - (iii) N\$240-00 for an addition or amendment to an existing broadcasting licence.”.

3. Regulation 4 of the Regulations is amended by the substitution for subregulation (1) of the following subregulation:

“(1) A licence holder shall pay the following fees:

- (a) N\$2 040-00 for a rural community-based radio broadcasting station;
- (b) N\$2 400-00 for an urban community-based radio broadcasting station;
- (c) N\$9 600-00 for a community television broadcasting station;
- (d) N\$73 500-00 for a commercial television broadcasting station; and
- (e) N\$25 000-00 for a commercial radio broadcasting station.”.

4. The Regulations is amended by the addition thereto of the following Annexure:

“ANNEXURE**NAMIBIAN COMMUNICATIONS COMMISSION**

Private Bag 13309
56 Robert Mugabe Avenue
Communication House
Windhoek

Tel: +264(61) 22 2666
Fax: +264(61) 22 279 0

**APPLICATION FOR A BROADCASTING LICENCE
(regulation 2)**

- Notes:
- (a) The completed application form, the application fee and all requested documentation must be submitted to the Secretariat of the Namibian Communications Commission.
 - (b) All questions must be answered in full, however questions not applicable may be marked N/A.
 - (c) Where the space allocated on the application form is insufficient for purposes of supplying the requested information, please supply such information on a separate sheet of paper and attach such sheet to the application form.
 - (d) A separate application form must be submitted for each transmitter station or network for which a licence is sought.
 - (e) Please attach the following application documentation to the application form:
 - (i) Certified copy of shareholder agreement
 - (ii) Financial reports indicating operations financing
 - (iii) Business and roll-out plan
 - (iv) Municipal / property owner approval to erect infrastructure if applicable.
 - (v) Technical specifications and type of approval certificate of equipment, if applicable.
 - (vi) Exact hours of intended broadcasting
 - (f) Please submit six (6) copies of application documentation

NB: Please note that natural persons applying for a licence need not complete PART 2 of this application form.

**PART 1
PARTICULARS OF APPLICANT**

1.1	Please indicate with an “X” in the appropriate box the type of broadcasting licence applying for:	
	(i) Broadcasting licence (new)	
	(ii) Broadcasting licence (renewal of)	
	(iii) Broadcasting licence (amendment of)	
1.2	Is the applicant a natural person or a company in terms of section 17(1)(b) of Act No. 4 of 1992?	
1.3	Full name and citizenship of natural person or name of company and company registration certificate number: (Note: Please submit proof of citizenship status / company registration certificate which ever is applicable)	
1.4	Physical residential / business address:	
1.5	Residential / business postal address:	
1.6	Contact details:	
	Tel. Nr(s)()	/()
	Fax Nr(s)()	/()
	E-mail address(es):	

PART 2 COMPANY SHAREHOLDERS AND DIRECTORS	
2.1 The name of the applying company and of each director:	2.2 Citizenship of each director:
2.3 Name and citizenship of all shareholders: (Note: Proof of citizenship status must be provided.)	
2.4 Is 51% of shareholders Namibian citizens? (Note: Please provide proof of number of shares, and proof of Namibian citizenship status).	
PART 3	
3.1 Have you or any of the company directors been convicted of a criminal offence and sentenced to a term of imprisonment without the option of a fine? If YES, please provide relevant details:	
3.2 Please provide details of all interests in other media operations within Namibia and abroad:	
3.3 Please provide details of any previous experience in broadcasting:	
PART 4 FINANCE	
4.1 When do you intend to commence with transmissions?	
4.2 Have sufficient operational running expenditure funds been secured for the first two years? If YES, please provide details:	
4.3 Attach an outline of an itemized budget for the first 5 years, indicating the anticipated cost of infrastructure, staff and other operating expenses, programme acquisition costs, sources of income, etc.	
PART 5 INFRASTRUCTURE	
5.1 Type of service (e.g. audio broadcasting/television/text/other): (Note: If other, please specify the type of service intended.)	
5.2 Transmission medium (e.g. cable/terrestrial/satellite):	
5.3 Frequency band (e.g. MF/HF/VHF/UHF/Microwave):	
5.4 Description of coverage area: (Note: Please attach a diagram of coverage area if necessary.)	
5.5 Site of transmitter (where applicable):	
5.6 Site for studio (where applicable):	

5.7 Which other site(s) in Namibia will carry the same programme? (Note: See Note (d))				
5.8 Will any existing facilities in Namibia be used? If YES, please provide details:				
5.9 Attach a brief description of production and transmission facilities:				
5.10 Will the applicant be responsible for the operation and/or maintenance of the transmission facility? If NO, please provide details:				
5.11 Please indicate the manufacturer and source of equipment (if available):				
5.12 Will the service operate as a subscription service? If YES, please provide the code system to be used:				
5.13 Proposed staffing	First Year		Fifth Year	
	Full-time	Part-time	Full-time	Part-time
PART 6 PROPOSED PROGRAMME FORMAT				
6.1 Target audience:				
6.2 Anticipated size of audience or number of subscribers in the coverage area for which the licence is sought:				
6.3 Objectives and programme policy:				
6.4 Language Policy:				
6.5 Please attach details of proposed programme schedule indicating programme format and required airtime per day:				
6.6 Percentage of programming air time to be:				
Produced in Namibia by the applicant:	Produced in Namibia by other organizations:	Relayed directly from foreign sources:	Obtained via other means from foreign sources:	
%	%	%	%	

6.7 Percentage of programming air time allocated to:	
Coverage of Namibian scenes: News and current affairs: Namibian music: Other music: Namibian sport: International sport: Educational broadcasts: Public service announcements: Community messages: Advertising: Entertainment (e.g. Game shows, movies etc.):	
6.8 Source of programming	
Namibian news and current affairs: Foreign news and current affairs: Music: Advertising: Other (please specify):	
6.9 Main music genres:	
6.10 Will programmes be exchanged with or sold to other broadcasters? If YES, please provide details:	
6.11 Please provide details of anticipated networking with other broadcasters in Namibia:	
6.12 Please provide details of anticipated networking with other broadcasters outside Namibia:	
PART 7 TECHNICAL REQUIREMENTS TO BE SUBMITTED WITH THE APPLICATION	
7.1 Station name:	
7.2 Physical address of transmitter site:	
7.3 Geographical co-ordinates (up to seconds):	South
7.4 Geographical co-ordinates (up to seconds):	East
7.5 Transmitter make and model:	Attach specifications to application
7.6 Transmitter power dBW/W:	
7.7 Antenna make and model:	Attach specifications to application
7.8 Maximum antenna gain (dBi):	

7.9 Effective radiated power dBW/W:	
7.10 Maximum deviation (kHz):	
7.11 Bandwidth (kHz):	
7.12 Site height above sea level:	
7.13 Mast height:	
7.14 Antenna height on mast:	
7.15 Antenna polarization:	
7.16 Antenna direction:	
7.17 Mono/Stereo:	
7.18 Sound carrier (MHz) TV only:	
7.19 Antenna footprint (Pattern):	Attach footprint pattern to application
7.20 Vision carrier (MHz) TV only:	
7.21 Sound carrier (MHz) TV only:	
7.22 Offset (TV vision):	
7.23 Offset (TV sound):	

I, the undersigned declare that the information provided in this application form and all accompanying documentation is to the best of my knowledge correct and true and that I am duly authorized to apply for a broadcasting licence, I further undertake to supply any supporting documentation or information required by the Commission to process this application.

The applicable fee of N\$...... in terms of regulation 4 is attached.

Full name (and capacity where applicant is a company)

Signature of applicant:

Date:”.

N. MBUMBA
MINISTER OF INFORMATION
AND BROADCASTING

Windhoek, 8 November 2004