



# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

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N\$2.00

WINDHOEK - 22 November 2004

No.3326

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## Government Notices

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### 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- (b) repealed Government Notice No. 147 of 16 July 2001 and Government Notice No. 245 of 15 December 2001.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
<b>1. AMATEUR RADIO</b>		
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
<b>2. AERONAUTICAL</b>		
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
<b>3. MARITIME</b>		
3.1	Beacon	N\$48-00
3.2	Operator certificate Radiotelephony (including duplicate)	N\$60-00
<b>3.3 Ship station</b>		
3.3.1	Commercial	N\$180-00
<b>3.3.2 Coast Station</b>		
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
<b>4. LAND MOBILE SERVICE</b>		
4.1	Alarm station for private use (see item 6.1 for alarm systems)	N\$200-00
<b>4.2 Base or Mobile station</b>		
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
<b>4.2.4 Repeater (Private)</b>		
(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
<b>4.4 Paging</b>		
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
<b>4.5</b>	<b>Radio Link Station</b>	
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
<b>5.</b>	<b>HIGH FREQUENCY (HF) RADIO LICENCE</b>	
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
<b>6.</b>	<b>RADIO-COMMUNICATION SYSTEMS</b>	
<b>6.1</b>	<b>Alarm</b>	
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
<b>6.3</b>	<b>Message Handling (two-way)</b>	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
<b>6.3.2</b>	<b>All other areas</b>	
(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
<b>6.4</b>	<b>Paging (one-way)</b>	
6.4.1	Application	N\$2 500-00
6.4.2	Per control room	N\$8 250-00
<b>6.5</b>	<b>Radio Trunking</b>	
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
<b>6.6</b>	<b>Repeater (Community)</b>	
6.6.1	Urban complexes	N\$2 400-00
6.6.2	All other areas	N\$1 440-00
<b>6.7</b>	<b>Cellular Radio Service</b>	
6.7.1	Basic fee	As per licence
6.7.2	Additional fee as per 200kHz frequency pair consecutively	N\$10 500-00
<b>7.</b>	<b>SATELITE (LAND MOBILE AND MARITIME)</b>	
<b>7.1</b>	<b>INMARSAT</b>	
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
<b>7.2</b>	<b>Up link digital 64kbits/s (include V-SAT)</b>	
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
<b>7.5</b>	<b>GMPCS</b>	
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
<b>8.</b>	<b>RADIO DEALER CERTIFICATE</b>	
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
<b>9.</b>	<b>BROADCASTING TRANSMITTER / FREQUENCY USAGE</b>	
9.1	Microwave Multipoint Distribution System (MMDS)	N\$18 000-00/Channel
<b>9.2</b>	<b>Radio Transmitter Station Licence (Commercial and Community)</b>	
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
<b>9.3</b>	<b>Television Transmitter Station Licence (Commercial and Community)</b>	
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
<b>9.4</b>	<b>Transmitter Station Licence (National Broadcaster)</b>	
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
<b>9.5</b>	<b>HF Radio Station Licence</b>	
9.5.1	(0-399 Watt)	N\$600-00
9.5.2	Above 400 Watt	N\$1 500-00
<b>9.6</b>	<b>Other Services</b>	
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
<b>10.</b>	<b>MISCELLANEOUS</b>	
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
<b>10.8</b>	<b>Private telecommunications licences</b>	
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.”.

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**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**

<b>1.1</b>	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)	
<b>1.2</b>	Is the applicant a natural person or a company in terms of section 17(1)(b) of Act No. 4 of 1992?	
<b>1.3</b>	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)	
<b>1.4</b>	Physical residential / business address:	
<b>1.5</b>	Residential / business postal address:	
<b>1.6</b>	Contact details:	
	Tel. Nr(s)(    )	/(    )
	Fax Nr(s)(    )	/(    )
	E-mail address(es):	

<b>PART 2 COMPANY SHAREHOLDERS AND DIRECTORS</b>	
<b>2.1 The name of the applying company and of each director:</b>	<b>2.2 Citizenship of each director:</b>
<b>2.3 Name and citizenship of all shareholders:</b> (Note: Proof of citizenship status must be provided.)	
<b>2.4 Is 51% of shareholders Namibian citizens?</b> (Note: Please provide proof of number of shares, and proof of Namibian citizenship status).	
<b>PART 3</b>	
<b>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:</b>	
<b>3.2 Please provide details of all interests in other media operations within Namibia and abroad:</b>	
<b>3.3 Please provide details of any previous experience in broadcasting:</b>	
<b>PART 4 FINANCE</b>	
<b>4.1 When do you intend to commence with transmissions?</b>	
<b>4.2 Have sufficient operational running expenditure funds been secured for the first two years? If YES, please provide details:</b>	
<b>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.</b>	
<b>PART 5 INFRASTRUCTURE</b>	
<b>5.1 Type of service (e.g. audio broadcasting/television/text/other):</b> (Note: If other, please specify the type of service intended.)	
<b>5.2 Transmission medium (e.g. cable/terrestrial/satellite):</b>	
<b>5.3 Frequency band (e.g. MF/HF/VHF/UHF/Microwave):</b>	
<b>5.4 Description of coverage area:</b> (Note: Please attach a diagram of coverage area if necessary.)	
<b>5.5 Site of transmitter (where applicable):</b>	
<b>5.6 Site for studio (where applicable):</b>	

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

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

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

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