

SUBSIDIARY LEGISLATION

to the Gazette of the United Republic of Tanzania No. 10 Vol. 98 dated 10th March, 2017
Printed by the Government Printer Dar es Salaam by Order of Government

GOVERNMENT NOTICE NO.87 published on 10/03/2017

THE UNIVERSAL COMMUNICATIONS SERVICE ACCESS ACT,
(CAP. 422)

REGULATIONS

(Made under sections 28)

THE UNIVERSAL COMMUNICATIONS SERVICE ACCESS FUND
(AMENDMENT) REGULATIONS, 2017

Citation

GN. No. 109 of
2009

1. These Regulations may be cited as the Universal Communications Service Access Fund (Amendment) Regulations, 2017 and shall be read as one with the Universal Communications Service Access Fund Regulations 2009, hereinafter referred to as the “principal Regulations”.

Amendment of
regulation 5

2. The principal Regulations are amended in regulation 5 by:

(a) deleting subregulation (1) and substituting for it the following:

“(1)A holder of communication license shall pay to the Fund a universal service levy of 0.5 percent of their yearly gross revenue that will increase annually up to 1 percent as shown in the schedule”.

(b) deleting subregulation (2) and (3) and substituting for them the following:

“(2) The source of the operating revenue shall be calculated at the operator’s gross revenue excluding Interconnection fee paid to

another operator and any amount that is earned from an activity outside the communication industry”.

(c) renumbering subregulations (4) and (5) as subregulations (3) and (4) respectively.

Addition of regulations 5A and 5B

3. The principal Regulations are amended by adding immediately after regulation 5, the following:

“Contribution to the Fund

5A. (1) pursuant to the provisions of section 23 of the Act, the Authority shall contribute to the Fund an amount proposed by the Fund and approved by the Minister.

(2) The contribution under sub regulation (1) shall be payable quarterly in arrears.

Submission of the Audited Financial Statements

5B.-(1) All holders of communication licenses are required to submit to the Fund Audited Financial Statements within six months after the end of their financial year.

(2) A holder of communication license who fails to comply with subregulation (1) shall be liable to pay a fine not exceeding ten million shillings.

Addition of regulation 9A

4. The principal Regulations are amended by adding immediately after regulation 9 the following:

“Universal service project participation

9A.-(1) Every service provider shall be required to participate effectively as may be identified by the Fund.

(2) Service Provider who fails to comply with the provision of subregulation (1) shall be required to pay 5 percent of the budgeted subsidy cost of the project”.

Addition of regulation 14A

5. The principal Regulations are amended by adding immediately after regulation 14 the following:

“Monitoring and evaluation

14A. (1) The Ministry shall establish a monitoring and evaluation system or any other guidelines to accelerate

implementation and attainment of universal service policy objective.

(2) The Fund shall facilitate and participate in implementing the guidelines”

Addition of
Schedule

7. The principal Regulations are amended by adding immediately after regulation 29 the following Schedule:

SCHEDULE

SERVICE LEVY RATES

(Made under regulation 5(1))

No.	Year	Percentage of the gross revenue
1	2016/17	0.5%
2	2017/18	0.7%
3	2018/19	0.9%
4	2019/20	1.0%

Dar es Salaam,
2nd February, 2017

MAKAME M. MBARAWA,
Minister for Works, Transport and Communication