

JAMHURI YA MUUNGANO WA TANZANIA



KANUNI ZA LESENI ZA MAWASILIANO  
YA KIELEKTRONIKI NA POSTA

[SHERIA NDOGO]

Toleo hili la Kanuni za Leseni za Mawasiliano ya Kielektroniki na Posta za mwaka, 2018, ni Tafsiri Rasmi iliyosanifiwa na Ofisi ya Mwanasheria Mkuu wa Serikali kwa mujibu wa kifungu cha 84 cha Sheria ya Tafsiri ya Sheria, Sura ya 1.

Dodoma,  
.....Oktoba, 2020

ADELARDUS L. KILANGI  
*Mwanasheria Mkuu wa Serikali*

TANGAZO LA SERIKALI NA. 914 la tarehe 16/10/2020

SHERIA YA MAWASILIANO YA KIEKTRONIKI NA POSTA  
(SURA 306)

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**KANUNI**

*(Chini ya kifungu cha 165)*

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KANUNI ZA LESENI ZA MAWASILIANO YA KIELEKTRONIKI NA POSTA ZA MWAKA  
2020

MPANGILIO WA KANUNI

*Kanuni*      *Jina*

SEHEMU YA KWANZA  
MASHARTI YA UTANGULIZI

1. Jina.
2. Matumizi.
3. Tafsiri.

SEHEMU YA PILI  
MASHARTI YANAVYOHUSIANA NA UTOAJI WA LESENI

4. Maombi ya leseni.
5. Kushindwa kuwasilishwa nyaraka na kujieleza.
6. Anwani ya ofisi ya mmiliki wa leseni.
7. Kibali cha ujenzi wa mitambo ya kurushia matangazo.
8. Aina na muda wa leseni.
9. Eneo la huduma.
10. Malipo ya ada.
11. Masharti ya kutoa na kuhifadhi taarifa.
12. Makubaliano ya kulipa.
13. Hatua za kiusalama.
14. Uhamisho au kukasimu haki au wajibu.
15. Katazo.

16. Kusitisha na kufuta leseni.
17. Kutoa taarifa.
18. Ubatili wa masharti ya leseni hautaathiri utekelezaji.
19. Mgongano na kanuni nyingine.

SEHEMU YA TATU  
MASHARTI MAALUM KWA LESENI ZA MUDA MREFU

20. Maombi ya leseni.
21. Taarifa za kifedha za mwombaji.
22. Mahitaji ya umiliki wa hisa.
23. Mabadiliko ya muundo wa umiliki wa hisa.
24. Mabadiliko ya jina.
25. Mahitaji ya muingiliano wa mitandao kwa ajili ya kutoa huduma.
26. Mahitaji ya huduma za posta na usafirishaji wa vifurushi.
27. Mahitaji ya leseni ya huduma za maudhui.
28. Kupandishwa daraja kwa leseni za huduma za maudhui (utangazaji wa radio).
29. Kupandishwa daraja kwa leseni ya huduma za maudhui (matangazo ya televisheni) na huduma za ziada za mawasiliano kwa mteja.
30. Kuingiliwa kwa huduma za mawasiliano.
31. Usawa na viwango vya kiufundi.
32. Mafunzo.
33. Faragha na usiri.
34. Zuo la matumizi ya vifaa.
35. Mahitaji ya kiuhasibu.
36. Utoaji huduma.
37. Uboreshaji wa mitandao au mfumo.
38. Dhamana ya utendaji.
39. Uhuishaji wa leseni.

SEHEMU YA NNE  
LESENI ZA MUDA MFUPI

40. Aina ya leseni za muda mfupi.
41. Utaratibu wa utoaji wa leseni ya usimikaji na matengenezo.
42. Usimikaji na matengenezo ya vifaa vya mawasiliano ya kielektroniki.
43. Uagizaji, usambazaji au uuzaji wa vifaa vya mawasiliano ya kielektroniki.
44. Dhamana.
45. Ruhusa ya kufanya upekuzi.
46. Makosa na adhabu.
47. Masharti ya mpito.

SEHEMU YA TANO  
MASHARTI YA JUMLA

- 48. Kuonyesha leseni.
- 49. Upatikanaji wa huduma za dharura.
- 50. Kufutwa.

MAJEDWALI

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SHERIA YA MAWASILIANO YA KIELEKTRONIKI NA POSTA  
(SURA.306)

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KANUNI

(Chini ya kifungu cha 165)

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KANUNI ZA LESENI ZA MAWASILIANO YA KIELEKTRONIKI NA  
POSTA, 2018

SEHEMU YA KWANZA  
MASHARTI YA UTANGULIZI

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|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Jina                   | 1. Kanuni hizi zitaitwa Kanuni za Leseni za Mawasiliano ya Kielektroniki na Posta za Mwaka 2018.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Matumizi               | 2. Kanuni hizi zitatumika kwa aina zifuatazo za leseni:<br>(a) leseni za nyenzo za mtandano wa mawasiliano;<br>(b) leseni za huduma za mtandao wa mawasiliano;<br>(c) leseni za huduma za maudhui;<br>(d) maombi ya leseni za huduma za mawasiliano;<br>(e) leseni za huduma za posta na usafirishaji wa vifurushi;<br>(f) usimikaji na usimamizi wa vifaa vya mawasiliano ya kielektroniki;<br>(g) uagizaji kutoka nje na usambazaji wa vifaa vya mawasiliano ya elektroniki;<br>(h) uuzaji wa vifaa vya mawasiliano ya kielektroniki;<br>(i) leseni za V-SAT;<br>(j) matumizi ya rasilimali adimu kuhusiana na-<br>(i) leseni ya matumizi ya masafa ya radio; na<br>(ii) mawasiliano ya kielektroniki ya namba na anwani;<br>(k) mpangaji wa chaneli; na<br>(l) leseni nyingine yoyote kwa namna itakavyoamuliwa na Mamlaka. |
| Tafsiri<br>Sura ya 306 | 3. Katika Kanuni hizi isipokuwa kama muktadha utahitaji vinginevyo-<br>"Sheria" maana yake ni Sheria ya Mawasiliano ya Kielektroniki na Posta;<br>"kadisimu iliyo hai" maana yake ni kadisimu iliyowezeshwa kuanzisha<br>mawasiliano ya simu;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Sura ya 172            | "Mamlaka" ina maana Mamlaka ya Usimamizi wa Mawasiliano iliyoanzishwa<br>chini ya Sheria ya Mamlaka ya Udhibiti wa Mawasiliano Tanzania;<br>"maombi ya huduma" ina maana huduma inayotolewa kwenye mtandao<br>mmoja au zaidi wa mawasiliano ya kielektroniki ambapo haijumuishi                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

- huduma inayotolewa upande wa mtandao wa mteja.
- “leseni ya huduma za mawasiliano kwa mteja” ina maana leseni ya huduma za mawasiliano kwa mteja inayompatia mwenye leseni haki ya kisheria ya kutoa huduma moja au zaidi ya mawasiliano kwa mteja;
- “mmiliki leseni ya kutoa huduma za mawasiliano kwa mteja” maana yake ni mmiliki wa leseni ya kutoa huduma za mawasiliano kwa mteja;
- “kikundi cha watumiaji wa huduma za kielektroniki” maana yake ni aina ya huduma inayoruhusu matumizi ya huduma za mawasiliano kwa ajili ya kundi maalum;
- “mpangaji wa chaneli za televisheni” maana yake ni kampuni iliyoidhinishwa kupanga chaneli za televisheni kwenye vifurushi mbalimbali kwa ajili ya kusambazwa na wamiliki wa leseni ya kujenga miundombinu ya kidigitali;
- "huduma za mawasiliano" maana yake ni huduma yoyote ya mawasiliano inayotolewa kielektroniki au posta;
- "mtoa huduma za maudhui ya kibiashara" maana yake ni chombo kilichoidhinishwa kutoa huduma za utangazaji wa maudhui ya kibiashara kwa njia ya redio au televisheni yanayotazamwa bila kulipia au kwa kulipia;
- "mtoa huduma ya maudhui ya kijamii" maana yake ni chombo kilichoidhinishwa kutoa huduma za utangazaji kwa njia ya redio au televisheni katika jamii fulani, chombo kinamilikiwa na jamii hiyo na kutoa huduma kwa msingi usio wa kibiashara.;
- "mtumiaji" maana yake ni mtu yeyote anayetumia mawasiliano ya kielektroniki au huduma za posta;
- "mteja" maana yake ni mtu yeyote anayepata au anayetaka kupata huduma za mawasiliano ya kielektroniki kutoka kwa mtu anayetoa huduma kwa mujibu wa Sheria na ikijumuisha kundi lolote linalojiunga kupata aina moja ya huduma;
- "wakala" maana yake ni mtu ambaye anafanya kazi ya uwakala wa mtu mwenye leseni chini ya Sheria hii;
- "maudhui" ina maana ya taarifa kwa namna ya hotuba au sauti, data, maandishi au picha mnato au jongefu, isipokuwa pale ambapo taarifa hiyo inarushwa kwa ajili ya mawasiliano binafsi;
- “mwenye leseni ya huduma ya maudhui” maana yake ni mtu au kampuni inayomiliki leseni ya huduma ya maudhui;
- “kibali cha ujenzi” maana yake ni kibali kilichotolewa na Mamlaka ili kuwezesha mwombaji kujenga miundombinu ya utangazaji wa redio au televisheni ndani ya muda uliowekwa na kwa mujibu wa vigezo vilivyoelekezwa;
- “huduma ya kusafirisha vifurushi” maana yake ni huduma maalum ya haraka ya kukusanya, kusafirisha na kuwasilisha vifurushi vya posta tofauti na barua;
- "leseni ya usambazaji wa vifaa vya mawasiliano ya elektroniki" maana yake ni leseni inayomruhusu mwenye leseni kuuza kwa jumla vifaa vya mawasiliano ya kielektroniki;

- "leseni ya kiwilaya" maana yake ni leseni iliyoidhinishwa kwenye eneo la utawala la wilaya kwenye Jamhuri ya Muungano;
- "kifaa cha mawasiliano cha kielektroniki" maana yake ni kifaa kinachotumia nishati ya mawimbi ya radio kwa ajili ya mawasiliano ya taarifa kwa namna ya hotuba, data, sauti maandishi, au picha kwa namna ilivyoelekezwa au isivyoелеkezwa kwa nguvu za sumaku umeme;
- "huduma za mawasiliano za dharura" maana yake ni wito au huduma za arafa kwa kutumia namba ya utambuzi kwa madhumuni yanayohusiana na usalama wa binadamu na maisha yake au yale yaliyoanzishwa kwa ajili ya uokoaji wakati wa matukio ya maafa;
- "majanga ya asili" maana yake ni tukio ambalo liko nje ya udhibiti wa mwenye leseni na ambalo linafanya utendaji wa mwenye leseni kukwama; matukio kama hayo yanajumuisha matukio kama moto, mafuriko, magonjwa ya mlipuko, vizuizi vya karantini, kutokea kwa vita au kupinduliwa kwa serikali;
- "pato la jumla la kila mwaka" maana yake ni mapato ya kila mwaka anayoyapata mwenye leseni kutokana na biashara yake wakati mahesabu ya mwaka husika yanapokaguliwa;
- "leseni ya kuagiza vifaa vya mawasiliano ya kielektroniki" maana yake ni leseni inayomruhusu mmiliki kuingiza nchini vifaa vya mawasiliano ya kielektroniki kwa madhumuni ya kufanya biashara;
- "kadisimu isiyo hai" maana yake ni kadisimu ambayo imezuiliwa kutuma au kupokea mawasiliano;
- "leseni ya ufungaji na kufanyia matengenezo vifaa vya mawasiliano ya elektroniki" maana yake ni leseni inayompa mmiliki uwezo wa kujenga, kufunga na kufanyia marekebisho vifaa vya mawasiliano vya kielektroniki;
- Sura ya 309 "leseni" maana yake ni leseni iliyotolewa chin ya Sheria;
- "mmiliki wa leseni" maana yake ni mtu aliyepewa leseni na Mamlaka kutoa huduma za mawasiliano ya kielektroniki, posta na huduma ya kusafirisha vifurushi;
- "Waziri" maana yake ni Waziri mwenye dhamana ya mawasiliano isipokuwa kwa masuala yanayohusiana na maudhui na huduma za kurusha matangazo;
- "fungu la chaneli" maana yake ni upangiliaji wa chaneli za televisheni kimakundi kwa kutumia teknolojia ya kidigitali kwa lengo la kuzisambaza kwa watazamaji;
- "nyenzo za mtandao" maana yake ni nyenzo za mawasiliano kwenye mtandao mmoja au zaidi kwa lengo la kutoa huduma ya mawasiliano isipokuwa vifaa vilivyofungwa kwa mpokeaji wa huduma hizo;
- "leseni ya nyenzo za mtandao" maana yake ni leseni ya mawasiliano ya kielektroniki inayomruhusu mmiliki kujenga, kutengeneza, kumiliki na kuwezesha kupatikana mawasiliano kwa kutumia mtandao mmoja wa mawasiliano au zaidi;
- "mmiliki wa leseni ya nyenzo za mtandao" maana yake ni mmiliki wa leseni ya nyenzo za kutoa huduma ya mawasiliano;.

- "huduma za mawasiliano mtandao" maana yake ni huduma ya kutoa habari kwa njia ya hotuba au sauti, data, maandishi au picha kwa namna ilivyoelekezwa au isivyoelekezwa kwa kutumia nishati ya umeme isipokuwa huduma zinazotolewa kupitia vifaa vinavyomilikiwa na mteja;
- "leseni ya huduma za mtandao" maana yake ni leseni ya mtandao wa mawasiliano inayomwezesha mmiliki kutoa huduma moja au zaidi.;
- "kituo cha mtambo wa utangazaji" maana yake ni mtambo mmoja wa utangazaji usiozidi kilowati mbili (2);
- "huduma ya maudhui ya chombo cha umma" maana yake ni chombo kinachotoa huduma za utangazaji wa redio, televisheni na kuendeshwa kwa fedha kutoka Serikalini au wafadhili kwa lengo la kutoa mawasiliano mapana hata sehemu zisizokuwa na mvuto wa kibiashara ikiendesha vipindi kwa ajili ya umma bila kujali faida;
- "dharura kwa umma" maana yake ni tetemeko la ardhi, janga, vita, njaa, hali ya dharura au tukio lolote lililotangazwa hivyo na Serikali;
- "soko la kimkoa" maana yake ni eneo la utawala la kimkoa katika Jamhuri ya Muungano;
- "mrabaha" maana yake ni malipo ya haki ya kutumia huduma fulani iliyohalalishwa;
- "leseni ya kuuza vifaa vya mawasiliano ya kielektroniki" maana yake ni leseni inayomruhusu mmiliki kuuza vifaa vya mawasiliano ya elektroniki kwa rejareja;
- "huduma za usaidizi" maana yake ni huduma inayotolewa kwa mteja anayetumia huduma ya utangazaji wa kutazama maudhui ya televisheni baada ya kulipia kupitia utangazaji wa mfumo wa satelaiti ikijumuisha ukusanyaji wa malipo kutoka kwa wateja, kupokea malalamiko ya wateja kupitia kituo maalumu cha simu; kunadi huduma za kampuni na vifaa vyake vya mawasiliano, usimikaji wa vifaa vya kupokelea matangazo na kutoa usaidizi wa kiufundi;
- "mawasiliano" maana yake ni sauti, data, picha jongefu, yanayotumwa au yanayofanyika kati ya wateja waliojiunga kwenye mtandao mmoja au zaidi;
- "huduma za mawasiliano pasipo kumiliki mtandao" maana yake ni huduma za mawasiliano ya kielektroniki zinazotolewa kwenye mtandao na mtoa huduma asiyemiliki leseni ya miundombinu ya mawasiliano;
- "VSAT" maana yake ni dishi la satelaiti linalosimikwa ardhini lenye ukubwa wa C-band wa antenna kutoka sentimeta 75 hadi mita 1.8 kwa Ku - band na mita 1.8 hadi mita 2.4 ikiwa na viwango vya data kutoka 56Kbps hadi 4Mbps;
- "leseni ya VSAT" maana yake ni leseni inayomwezesha mmiliki kutumia dishi dogo la satelaiti; na
- "leseni ya VSAT" maana yake ni leseni inayompa mmiliki haki ya kutumia VSAT.

SEHEMU YA PILI  
MASHARTI YANAYOHUSIANA NA UTOAJI WA LESENI

Maombi ya leseni

4.-(1) Mtu yeyote anayetaka kuomba leseni iliyoainishwa chini ya kanuni ya 2 atajaza fomu ya maombi kama ilivyoainishwa na Mamlaka na kulipa ada kama ilivyoielezwa katika Jedwali la Kwanza la Kanuni hizi.

(2) Fomu ya maombi iliyotajwa chini ya kanuni ndogo (1) itaambatanishwa na nyaraka au taarifa ambazo zinaweza kuwa msingi kwa aina ya leseni inayoombwa.

(3) Isipokuwa kwa taasisi au wakala wa serikali, ikiwa kutakuwa na maombi ya namba ya utambulisho mbili au zaidi, mwombaji atahitajika kuomba leseni ya huduma ya mawasiliano kwa wateja kwa Mamlaka.

Kushindwa  
kuwasilishwa nyaraka  
na kujieleza

5.-(1) Endapo mwombaji atashindwa-

(a) kuwasilisha nyaraka au taarifa kama inavyohitajika chini ya kanuni ya 4(2); au

(b) kujitokeza siku aliyotakiwa na Mamlaka kwa ajili ya kuwasilisha mpango biashara bila kutoa taarifa kabla,

Mamlaka inaweza kuyakataa maombi hayo na kumtaarifu mwombaji kwa maandishi.

(2) Endapo maombi yatakataliwa chini ya kanuni hii, malipo ya ada yaliyolipwa hayatarejeshwa.

Anwani ya ofisi ya  
mmiliki wa leseni

6.-(1) Mwombaji wa leseni atatakiwa kuwa na anwani ya ofisi ndani ya Jamhuri ya Muungano na atatoa maelezo ya anwani hiyo kwa Mamlaka.

(2) Mmiliki wa leseni atatakiwa, kabla ya kubadilisha ofisi, kuwasilisha taarifa ya mabadiliko ya anwani ya makazi kwa Mamlaka.

Kibali cha ujenzi wa  
mitambo ya kurushia  
matangazo

7.-(1) Kabla ya utoaji wa leseni ya huduma za maudhui, Mamlaka itatoa kibali cha ujenzi kwa mwombaji, kwa yafuatayo:

(a) maeneo ya kurushia matangazo;

(b) studio;

(c) mtambo wa kuchakata na kupangilia maudhui kwa mfumo wa kidigitali;

(d) mtambo wa ardhini wa setilaiti; na

(e) miundombinu mingine yoyote ya huduma za utangazaji kama itakavyoamuliwa na Mamlaka.

(2) Mwombaji aliyefanikiwa kukamilisha ujenzi atahitajika kulipa ada kama ilivyoielezwa katika Jedwali la Kwanza la Kanuni hizi kwa ajili ya kibali cha ujenzi au kuongeza muda wa kibali.

(3) Kibali cha ujenzi kitakuwa na uhalali kwa muda wa mwaka mmoja na baada ya kukamilika, Mamlaka itafanya ukaguzi wa ujenzi huo-

(a) baada ya kituo hicho kupata idhini ya Mamlaka, kituo hicho kitaruhusiwa kurusha vipindi vya muziki kwa ajili ya majaribio bila kurusha matangazo ya vipindi vya kawaida vya redio na televisheni; na

(b) baada ya kujiridhisha na jaribio la urushaji wa matangazo, kituo hicho kitapewa leseni stahiki.

(4) Endapo mwombaji hataweza kukamilisha ujenzi katika kipindi kilichoidhinishwa, Mamlaka itaongeza muda wa kuendelea na ujenzi au kufuta kibali baada ya kupokea maelezo ya maandishi kutoka kwa muombaji.

(5) Mmiliki wa kibali cha ujenzi atatoa maelezo ya maandishi kwa Mamlaka miezi mitatu kabla ya tarehe ya mwisho ya kibali, kwa kutoa sababu za kutokukamilisha ujenzi ndani ya kipindi kilichoonyeshwa kwenye kibali.

(6) Baada ya kupokea maelezo ya maandishi, Mamlaka itafanya uhakiki wa taarifa ili kuthibitisha kama sababu zilizotolewa ni za kweli au inaweza kuzikataa na kufuta kibali au kukubali na kuongeza muda wa kibali kwa muda usiozidi miezi kumi na miwili bila kuongeza muda zaidi.

Aina na muda wa leseni

8. Mamlaka inaweza kutoa leseni kwa kutaja muda na eneo la kutoa huduma kama ilivyoainishwa kwenye Jedwali la Kwanza la Kanuni hizi.

Eneo la huduma

9.-(1) Eneo la huduma za leseni za kimkoa za nyenzo za mtandano wa mawasiliano, huduma za mtandao wa mawasiliano, huduma za mawasiliano kwa mteja, itakuwa ni mikoa isiyopungua kumi.

(2) Eneo la huduma za leseni za kiwilaya za nyenzo za mtandano wa mawasiliano, huduma za mtandao wa mawasiliano, huduma za mawasiliano kwa mteja, itakuwa ni wilaya zisizopungua tatu.

(3) Eneo la huduma kwa Leseni ya Maudhui ya Kimkoa (Matangazo ya Redio) itatakiwa kuwa na mtambo wa kurushia matangazo wa kilowati mbili kwa mikoa zisizozidi alama kumi.

(4) Eneo la huduma kwa Leseni ya Maudhui ya Kiwilaya (Matangazo ya Redio) itatakiwa kuwa na mtambo wa kurushia matangazo wa kilowati mbili kwa wilaya zisizozidi alama tatu.

Malipo ya ada

10.-(1) Mmiliki wa leseni atalipa ada kwa mamlaka ya udhibiti kiasi kama ilivyoainishwa kwenye Jedwali la Kwanza la Kanuni hizi.

(2) Mmiliki wa leseni atakayechelewa kulipa ada ya leseni kwa kipindi cha zaidi ya siku thelathini atatakiwa kulipa riba ya asilimia kumi na tano kwa kila mwezi atakaochelewa.

(3) Mamlaka itamtaarifu mwombaji aliyefanikiwa kulipa ada ya leseni ya awali kabla yakumpatia leseni.

(4) Endapo mwombaji atashindwa kulipa ada ya awali ndani ya mwezi mmoja tangu tarehe ya taarifa, Mamlaka itayakataa maombi yake.

(5) Mamlaka inaweza kuongeza muda wa kulipa ada ya awali baada ya kupokea maombi na baada ya kutoa sababu za msingi za kuongezewa muda huo, isipokuwa kwamba, Mamlaka haitatoa muda wa nyongeza wa zaidi.

(6) Endapo mmiliki wa leseni ya huduma ya maudhui ya kitaifa ametoa huduma hiyo nchi nzima, Mamlaka, baada ya kujiridhisha na eneo la utangazaji alilofikia, itatoa motisha kwa mmiliki wa leseni kama ilivyoielezwa katika Jedwali la Kwanza la Kanuni hizi.

(7) Endapo ada iliyoainishwa kwenye Jedwali la Kwanza imewekwa

katika dola za kimarekani, mwenye leseni anaweza kulipa kiwango hicho sawa na shilingi za kitanzania.

Masharti ya kutoa na kuhifadhi taarifa

11.-(1) Mmiliki wa leseni atatakiwa kutoa na kutunza taarifa zitakazoiwezesha Mamlaka kutekeleza majukumu yake chini ya Sheria kwa namna na kwa wakati kama Mamlaka itakavyoweza kuelekeza.

(2) Mamlaka itakuwa na haki ya kuomba mmiliki wa leseni kuwasilisha ripoti za mara kwa mara, takwimu, data za kifedha, makadirio ya mapato, data nyingine au maelezo yoyote ya ziada kwa lengo la kusimamia vizuri na kutekeleza masharti ya leseni.

(3) Mamlaka itatakiwa, wakati wa kutaka kupata taarifa yoyote, kuhakikisha kwamba hakuna kipingamizi kinachowekwa na mmiliki wa leseni katika kupata na kutoa maelezo hayo.

Makubaliano ya kulipa

12. Mmiliki leseni atailipa Mamlaka juu ya shauri lolote la madai linalotokana na uvunjaji au kushindwa kutekeleza baadhi ya masharti ya leseni.

Hatua za kiusalama

13. Mmiliki wa leseni atatakiwa, kwa mujibu wa huduma anayotoa au anayotakiwa kutoa chini ya leseni yake, kuchukua hatua zote za kutosha na za kiusalama za kulinda maisha au mali, ikiwa ni pamoja na kuzuia uvunjaji wa umeme au mionzi inayotokana na matumizi ya vifaa au usimikwaji wa vifaa kutokana na shughuli hizo.

Uhamisho au kukasimu haki au wajibu

14.-(1) Mmiliki wa leseni hatatoa, hatahamisha, hataachia haki yake au wajibu wake au kwa namna yoyote kutoa leseni au sehemu ya masharti ya leseni bila idhini ya maandishi kutoka kwa Mamlaka.

(2) Bila kujali masharti ya kanuni ndogo ya (1), mwenye leseni atakuwa na uwezo wa kuteua mawakala au wakandarasi wadogo ili kumwezesha kutekeleza haki yake kwa ufanisi na kutekeleza majukumu yake kwa mujibu wa masharti yaliyopo kwenye leseni.

Katazo

15. Endapo mmiliki wa leseni anavunja masharti ya Sheria hii au anavunja masharti ya leseni, Mamlaka inaweza kumwekea vikwazo vifuatavyo:

- (a) kumtaka mmiliki wa leseni kwa gharama zake kuomba msamaha kwa umma kwa siku mbili mfululizo kupitia Gazeti linalosambazwa zaidi eneo anapotolea huduma;
- (b) kulipa faini au fidia kwa mtu aliyepata madhara kama inavyoweza kuagizwa na sheria husika; au
- (c) kuweka vikwazo vinginevyo kama itakavyoonekana inafaa kwa mujibu wa sheria na kanuni zinazohusika nchini Tanzania.

Kusitisha na kufuta leseni

16.-(1) Mamlaka ina haki ya kufuta au kusitisha leseni pale ambako vigezo na masharti ya leseni yanapovunjwa.

(2) Bila kuathiri masharti ya kanuni ndogo ya (1), Mamlaka itatoa

taarifa ya maandishi ya siku thelathini kwa mwenye leseni kabla ya kufutwa kwa leseni.

Kutoa taarifa

17. Endapo Mamlaka imejiridhisha kuwa mwenye leseni amevunja au amekiuka Kanuni hizi au masharti ya leseni, itatoa taarifa ya maandishi kumtaka arekebishe upungufu uliojitokeza ndani ya muda uliowewekwa katika taarifa.

Ubatili wa masharti ya leseni hautaathiri utekelezaji

18. Endapo masharti yoyote ya leseni yameisha muda wake au hayawezi kutekelezwa, hali hiyo peke yake haiwezi kuathiri uhalali au utekelezaji kwa masharti mengine ya leseni.

Mgongano na kanuni nyingine

19. Endapo masharti ya Kanuni hizi yatapingana na masharti ya Kanuni nyingine zilizotolewa zinazohusiana na leseni za huduma husika, masharti ya leseni ya huduma husika yatazingatiwa.

### SEHEMU YA TATU MASHARTI MAALUMU KWA LESENI ZA MUDA MREFU

Maombi ya leseni

20.-(1) Mamlaka, wakati wote itatakiwa kukaribisha maombi ya leseni kwa utaratibu wa ushindani hususani kwenye aina ya leseni zinazohitaji matumizi ya masafa ya redio kutoa huduma za mawasiliano.

(2) Mwombaji wa leseni ya muda mrefu atawasilisha kwa Mamlaka andiko la kibiashara pamoja na nyaraka nyingine kama ilivyoainishwa chini ya Sheria.

Taarifa za kifedha za mwombaji

21. Mwombaji wa leseni ya muda mrefu atatakiwa kuwasilisha-

- (a) taarifa ya kifedha ya kampuni kutoka kwenye benki au ya wanahisa wa kampuni kwa kipindi cha awali cha miezi sita kabla ya kuwasilisha maombi kama uthibitisho wa uwezo wa kifedha;
- (b) uthibitisho kwamba kiwango cha chini cha mtaji kilicholipwa na kampuni hiyo si chini ya asilimia hamsini ya mtaji wa hisa uliyoidhinishwa;
- (c) taarifa za kina juu ya muundo wa hisa ikiwa ni pamoja na uhusiano na kampuni au kampuni tanzu inayoonyesha umiliki au wanahisa wa kampuni;
- (d) mkataba wa makubaliano au makubaliano kati ya wafadhili wa ndani au wa nje na mwombaji.

Mahitaji ya umiliki wa hisa

22.-(1) wakati wa kuomba leseni, mwombaji atatakiwa, kuwasilisha vifuatavyo:

- (a) kwa upande wa leseni za nyenzo za mtandao, huduma za mtandao, huduma za mawasiliano kwa mteja, mkataba wa makubaliano wa kampuni pamoja na asilimia ishirini na tano ya mitaji ya hisa iliyoidhinishwa muda wote wa maisha ya leseni yake;

(b) kwa upande wa leseni ya huduma za maudhui na mkataba wa makubaliano wa kampuni pamoja na asilimia hamsini na moja ya hisa kumilikiwa na mzawa (raia wa Tanzania).

(2) Mwombaji wa leseni za nyenzo za mtandao au huduma za mtandao atahitajika kutoa hisa kwa umma na kisha atatakiwa kuorodhesha hisa zake kulingana na mahitaji ya kifungu cha 26 cha Sheria.

Mabadiliko ya muundo  
wa umiliki wa hisa

23.-(1) Mwombaji wa leseni au mwenye leseni hataweza kubadilisha muundo wake wa umiliki wa hisa bila kupata idhini ya Mamlaka.

(2) Vifaa vya mtandao na mwenye leseni ya huduma za mtandao anayetaka kubadilisha muundo wa umiliki wa hisa au uhamisho wa hisa atatakiwa kukidhi masharti ya kifungu cha 26 cha Sheria

(3) Maombi ya kubadilisha muundo wa hisa au uhamisho wa hisa yatawasilishwa kwa Mamlaka yakiambatana na-

(a) barua inayohititisha sababu za mabadiliko ya wanahisa au uhamisho wa hisa;

(b) azimio la bodi ya wakurugenzi lililosainiwa na wakurugenzi wote lililoambatishwa kwa ajili ya kuyapa maombi uzito;

(c) malipo ya ada kwa mabadiliko ya muundo wa wanahisa au uhamisho wa hisa; na

(d) utambulisho na maelezo ya kina ya wanahisa ambao hisa zao zinahamishwa.

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(4) Baada ya kuidhinishwa na Mamlaka, mwenye leseni atawasilisha maombi ya mabadiliko ya wanahisa au uhamisho wa hisa kwa Msajili wa Makampuni kwa mujibu wa Sheria ya Makampuni.

(5) Baada ya kupata kibali cha Msajili wa Makampuni, mwombaji atawasilisha uhamisho kwa Mamlaka kama ilivyoainishwa kwenye Jedwali la Kwanza, ikiwa ni pamoja nakala za hati za wanahisa wake kutokana na mabadiliko hayo.

(6) Endapo uhamisho wa hisa utapelekea kuhamisha leseni, mwenye leseni atalipa ada ya uhamisho kwa Mamlaka kama ilivyoielezwa katika Sehemu ya 10 ya Jedwali la Kwanza.

Mabadiliko ya jina

24.-(1) Mmiliki wa leseni atatakiwa kupata kibali cha maandishi kutoka Mamlaka, ambacho hakitacheleweshwa bila sababu za msingi, kabla ya kubadilisha jina lake kwa Msajili wa makampuni.

(2) Mmiliki wa leseni anaweza kuomba kubadilisha jina kwa kujaza fomu ya mabadiliko ya jina kwa namna ilivyoainishwa katika Jedwali la Nne na kuwasilisha kwa Mamlaka kwa ajili ya kuthibitishwa.

(3) Maombi ya kubadilisha jina yataambatishwa na-

(a) barua rasmi ya kuthibitisha sababu za mabadiliko ya jina;

(b) azimio maalum la bodi kwa ajili ya mabadiliko ya jina; na

(c) uthibitisho wa malipo ya ada kwa ajili ya mabadiliko ya jina kama ilivyoielezwa katika Kanuni hizi.

(4) Baada ya kubadilisha jina kwa Msajili wa Makampuni, mwombaji atawasilisha cheti cha mabadiliko ya jina kwa Mamlaka kwa ajili ya kufanya

mabadiliko hayo katika leseni.

Mahitaji ya  
muungiliano wa  
mitandao kwa ajili ya  
kutoa huduma

25. Mwombaji yeyote wa leseni ya huduma za mtandao atahakikisha kuwa kuna-
- (a) muungiliano na utengamano wa mfumo wa huduma za mtandao na mifumo mingine ya huduma za mawasiliano; na
  - (b) uwezekano wa upatikanaji wa huduma za dharura.

Mahitaji ya huduma  
za posta na  
usafirishaji wa  
vifurushi

26. Mwombaji wa kutoa huduma za posta na usafirishaji wa vifurushi atatakiwa kuwasilisha kwa Mamlaka taarifa zifuatazo-
- (a) viwango vya huduma vinavyotarajiwa kutolewa;
  - (b) njia ya usafiri inayopatikana wakati wa kutoa huduma;
  - (c) upatikanaji wa maghala safi na salama ya kuhifadhi vifaa;
  - (d) upatikanaji wa watumishi wenye weledi wa posta na usafirishaji wa vifurushi katika timu ya uendeshaji na usimamizi; na
  - (e) upatikanaji wa vifaa vya kiusalama kwa ajili ya kugundua bidhaa zenye madhara na za hatari.

Mahitaji ya leseni za  
huduma ya maudhui

- 27.-(1) Kutakuwa na makundi matatu ya leseni za huduma ya maudhui kwa ajili ya urushaji wa matangazo ya chaneli zinazotazamwa bila kulipia kama ifuatavyo-
- (a) huduma za utangazaji wa umma;
  - (b) huduma za utangazaji wa biashara; na
  - (c) huduma za utangazaji wa kijamii.
- (2) Kutakuwa na makundi ya leseni za huduma za maudhui zitakazosajiliwa kutoa huduma kama ifuatavyo-
- (a) upangaji wa chaneli;
  - (b) huduma za usaidizi kwa mitambo ya utangazaji iliyojengwa ardhini;
  - (c) huduma za usaidizi kwa mitambo ya utangazaji kupitia setelaiti;
  - (d) huduma za utangazaji za maudhui ya kulipia kupitia mitambo iliyojengwa ardhini;
  - (e) maudhui ya kulipia yanayotumia teknolojia nyingine;
  - (f) maudhui ya kulipia kupitia nyaya.
- (3) Mwombaji wa leseni ya huduma za maudhui kwa mrushaji wa maudhui ya bila kulipia atawasilisha kwa Mamlaka-
- (a) mpangilio wa vipindi vya redio na televisheni; na
  - (b) mwongozo wa uhariri.
- (4) Mwombaji wa leseni ya huduma ya maudhui ya kulipia atawasilisha kwa Mamlaka uthibitisho wa hati miliki kutoka kwa wamiliki wa chaneli.

Kupandishwa daraja  
kwa leseni za huduma  
za maudhui  
(matangazo ya redio)

28. Mtoa huduma ya maudhui ya utangazaji wa redio na televisheni anaweza kuomba kupandisha daraja la leseni yake kupitia mwaliko wa Mamlaka.

Kupandishwa daraja  
kwa leseni ya huduma  
za maudhui  
(matangazo ya  
televisheni) na huduma  
za ziada za  
mawasiliano kwa  
mteja

29. Mtoa huduma ya maudhui ya redio na televisheni anaweza kuomba kwa Mamlaka kupandisha daraja la leseni yake baada ya kutimiza masharti yafuatayo-

- (a) kuwa hai kwenye biashara kwa kipindi angalau cha miezi kumi na miwili tangu tarehe ya kupewa leseni;
- (b) uwasilishaji wa andiko la kibiashara na kiufundi kwa namna itakavyoelekezwa na Mamlaka; na
- (c) kutokukiuka masharti ya leseni.

Kuingiliwa kwa  
huduma  
zilizoidhinishwa

30.-(1) Mmiliki wa leseni hatatakiwa kufanya kwa makusudi yafuatayo-

- (a) kuingilia utendaji wa mfumo wa mawasiliano uliohalalishwa wakati wa utekelezaji wa shughuli zake za kawaida; au
- (b) kusimamisha utoaji wa aina yoyote wa huduma za mawasiliano kama zilizyoainishwa kwenye leseni bila kutoa taarifa ya maandishi kwanza kwa Mamlaka na vile vile kwa waathirika wa huduma hiyo.

(2) Masharti ya kanuni ndogo ya (1) hayatatumika pale ambapo kuingiliwa au kusimamishwa kwa huduma kutatokana na-

- (a) dharura;
- (b) majanga ya asili; au
- (c) huduma zinazotolewa na mmiliki wa leseni kwa mtu ambaye mfumo wa mawasiliano yake unaweza kuhatarisha mfumo wa mawasiliano ya mmiliki wa leseni.

Usawa na viwango  
vya kiufundi

31.-(1) Kila mmiliki wa leseni atapaswa kufuata masharti ya Kanuni, viwango vya kiufundi na Kanuni zitakazotolewa na Mamlaka kwa lengo la kuhakikisha muingiliano na utengamano kwa huduma zilizoruhusiwa pamoja na mifumo ya mawasiliano ya kielektroniki inayotolewa na watoa huduma.

(2) Mmiliki wa leseni atahakikisha kuwa vifaa vyote vilivyunganishwa na mifumo ya mawasiliano iliyoainishwa kwenye leseni na kutumika katika utoaji wa huduma ni vya aina iliyothibitishwa na Mamlaka.

Mafunzo

32. Mmiliki wa leseni atapaswa kuchukua hatua zote za kuhakikisha kuwa wananchi wa Tanzania wanapata ujuzi na maarifa muhimu katika utekelezaji wa majukumu yao wanapotoa huduma zilizoaainishwa kwenye leseni ya mtoa huduma za mawasiliano.

Faragha na usiri

33.-(1) Mmiliki wa leseni atachukua hatua zote muhimu kuhakikisha kuwa hatoi taarifa za siri zilizopatikana wakati wa kutoa huduma kwa wateja.

(2) Mmiliki wa leseni atatakiwa kutayarisha na kutekeleza taratibu zinazofaa za kutunza siri na taarifa za wateja wake kwa kuzingatia masharti ya sheria; na

(3) Mmiliki wa leseni atatakiwa kutunza taratibu zote za utunzaji wa taarifa za siri kwa lengo la kuiridhisha Mamlaka kwamba mwenye leseni amekidhi masharti ya kanuni ndogo ya (1) na (2).

Zuio la matumizi ya vifaa

34. Mmiliki wa leseni hatatumia au hataruhusu kutumika kwa vifaa vilivyomo katika mifumo ya mawasiliano iliyoidhinishwa ambayo vina uwezo wa kurekodi, kufuatilia kwa ukimya au kuingilia kwenye mwito wa simu isipokuwa kwa mujibu wa mahitaji ya Sheria.

Mahitaji ya kiuhasibu

35.-(1) Mmiliki wa leseni atatakiwa kuwasilisha kila robo mwaka taarifa ya mapato ya kila mwaka kwa Mamlaka ndani ya siku kumi na nne baada ya mwisho wa kila robo ya mwaka.

(2) Ndani ya miezi sita baada ya mwisho wa kila mwaka wa fedha, mmiliki wa leseni atawasilisha kwa Mamlaka ripoti za fedha za ukaguzi zilizokaguliwa na wakaguzi huru.

(3) Katika uwasilishaji wa ripoti ya fedha, mmiliki wa leseni atatakiwa kuweka wazi maelezo na kiasi cha ada kwa kila aina ya leseni za udhibiti na gharama kama vile masafa, uwekaji namba, ada za maombi, ada ya awali ya leseni, ada ya leseni ya mwaka, mrabaha na ada nyingine yoyote kama itakavyohitajiwa na Mamlaka.

(4) Uwekaji wazi uliorejewa katika kanuni ndogo (3) utafanywa kupitia notisi inayounga mkono taarifa za kifedha.

(5) Bila kujali masharti ya kifedha, mmiliki wa leseni atatakiwa kuwasilisha ulinganisho wa taarifa ya ada ya udhibiti kwa Mamlaka ambayo itathibitishwa kupitia taarifa ya mahesabu ya fedha iliyohakikiwa.

(6) Bila kuathiri masharti yaliyotangulia, Mamlaka inaweza kumuomba mwenye leseni kuwasilisha maelezo mengine ya uhasibu au ufafanuzi ambayo yanaweza kuhitajika ili kusimamia vizuri utekelezaji wa masharti ya leseni.

(7) Mmiliki wa leseni atatoa taarifa kama ilivyoainishwa chini ya kanuni ndogo (4) ndani ya muda kama inavyoweza kuelekezwa na Mamlaka.

Utoaji huduma

36.-(1) Mmiliki wa leseni atatoa huduma ndani ya kipindi kisichopungua miezi kumi na miwili kuanzia tarehe ya kutolewa leseni.

(2) Mmiliki wa leseni atakayeshindwa kutoa huduma ndani ya muda ulioainishwa katika kanuni ndogo ya (1), atatakiwa kuwasilisha kwa Mamlaka sababu za kushindwa kufanya hivyo, na Mamlaka inaweza kuongeza muda wa kutoa huduma kwa muda usiopungua miezi kumi na miwili.

(3) Endapo mmiliki wa leseni atashindwa kutoa huduma baada ya muda wa nyongeza, Mamlaka itaifuta leseni.

(4) Mmiliki wa leseni atatakiwa kutoa huduma kwa mujibu wa makubaliano ya mapendekezo ya Mawasiliano ya Umoja wa Kimataifa, au vyombo vingine vya viwango vya kimataifa na sheria zozote husika au Kanuni husika zinazotumika Tanzania.

Uboreshaji wa mitandao au mfumo

37.-(1) Mmiliki wa leseni atatakiwa kuitaarifu Mamlaka kabla ya kufanya mabadiliko yoyote makubwa au uboreshaji wa mfumo wa mawasiliano ambao unaweza kusababisha kukatisha utoaji huduma.

(2) Mmiliki wa leseni atahakikisha kuwa mabadiliko yoyote ya msingi hayaingiliani na mitandao au mifumo mengine ya mawasiliano iliyopo.

Dhamana ya utendaji

38.-(1) Mamlaka inaweza kumtaka mwombaji wa leseni ya nyenzo za mtandano wa mawasiliano, huduma za maudhui ya kulipia na huduma za usaidizi, kuwasilisha dhamana ya ufanisi ya benki kutoka benki iliyosajiliwa ndani ya Jamhuri ya Muungano na pale ambapo Mamlaka itahitaji, mmiliki wa leseni atatakiwa akidhi masharti ya dhamana ya benki.

(2) Katika hali yoyote ambapo dhamana ya ufanisi ya benki inahitajika, mwenye leseni atatakiwa kutoa dhamana ya benki katika fomu iliyoainishwa katika Jedwali la Pili la Kanuni hizi.

(3) Dhamana ya utendaji ya benki itawasilishwa ndani ya siku thelathini kutoka siku ya taarifa ya Mamlaka ya kuhitaji dhamana hiyo.

Uhuishaji wa leseni

39.-(1) Mmiliki wa leseni ambaye leseni yake inakaribia kuisha na anatarajia kuendelea na utoaji wa huduma, ataomba kuongeza muda wa leseni yake kwa kujaza Fomu ya Uhuishaji leseni iliyoainishwa kwenye Jedwali la Tatu la Kanuni hizi.

(2) Mmiliki wa leseni atawasilisha Fomu ya kuomba kuongeza muda wa leseni akiambatanisha nyaraka zifuatazo-

(a) nakala ya risiti ya ada ya mwaka ya siku za usoni au malipo ya mrabaha;

(b) nakala ya leseni iliyoisha muda wake; na

(c) nakala iliyothibitishwa ya mkataba wa ushirika, hati za hisa na ushahidi kutoka kwa Msajili wa Makampuni zinazoonyesha mabadiliko ya hisa kama yapo.

(2) Mmiliki wa leseni ya muda mrefu atatuma maombi ya kuongeza muda wa leseni miezi kumi na miwili kabla ya leseni kuisha muda wake.

(3) Mmiliki wa leseni ya muda mfupi atatakiwa kuomba upya leseni miezi mitatu kabla ya leseni hiyo kuisha muda wake.

(4) Baada ya kupokea maombi chini ya kanuni hii, Mamlaka itahakikisha mmiliki wa leseni anakidhi masharti ya sheria, kupitia fomu ya utekelezaji iliyojazwa na mmiliki wa leseni au ripoti ya ukaguzi.

(5) Mamlaka itahuisha muda wa leseni kwa kuzingatia utekelezaji wa masharti ya leseni.

(6) Mmiliki wa leseni atalipa kwa Mamlaka ada ya maombi, ada ya kuhuisha leseni na ada ya mwaka kama ilivyoainishwa kwenye Jedwali la Kwanza la Kanuni hizi.

#### SEHEMU YA NNE LESENI ZA MUDA MFUPI

Aina za leseni za muda mfupi

40. Mamlaka inaweza kutoa leseni za muda mfupi kwa ajili ya huduma zifuatazo-

(a) uagizaji kutoka nje na usambazaji wa vifaa vya mawasiliano vya kielektroniki;

- (b) usimikaji wa mitambo na mataengenezo ya vifaa vya mawasiliano ya kielektroniki;
- (c) kuuza vifaa vya mawasiliano ya kielektroniki;
- (d) VSAT;
- (e) Simu ya upepo;
- (f) vifaa vya mawasiliano kwa ajili ya majanga majini (GMDSS);
- (g) namba za utambuzi wa mawasiliano ya kielektroniki;
- (h) huduma ya maudhui ya kulipia ya televisheni kupitia nyaya;
- (i) huduma ya mawasiliano kwa wateja inayotumia namba tambuzi;
- (j) leseni ya shughuli za posta na usafirishaji wa vifurushi; na
- (k) na leseni nyingine yoyote kama itakavyotambuliwa na Mamlaka.

Utaratibu wa utoaji wa leseni ya usimikaji na matengenezo

41. Leseni ya usimikaji mitambo na matengenezo itatolewa kwa watu wanaotaka kutoa huduma ya usimikaji wa mitambo na matengenezo ya vifaa vya mawasiliano vya kielektroniki kwa huduma za nyenzo mtandao, mawasiliano mtandao na maudhui.

Usimikaji na matengenezo ya vifaa vya mawasiliano ya kielektroniki

42.-(1) Mwombaji wa usimikaji na matengenezo ya vifaa vya mawasiliano ya kielektroniki atatakiwa-

- (a) kuwa kampuni au wabia waliosajiliwa;
- (b) kutoa uthibitisho wa watumishi wenye weledi na wenye sifa na kiwango cha uendeshaji.

(2) Kwa mujibu wa kanuni ndogo ya (1), Mamlaka, ndani ya siku ishirini na moja kutoka tarehe ya maombi, itakagua na kutathmini ofisi na karakana ya mwombaji wa leseni ya usimikaji wa mitambo na matengenezo.

Uagizaji, usambazaji au uuzaji wa vifaa vya mawasiliano ya kielektroniki

43.-(1) Kila mwagizaji wa vifaa kutoka nje ya nchi au msambazaji wa vifaa vya mawasiliano vya kielektroniki atahakikisha kwamba vifaa vilivyoagizwa au kusambazwa kwa wauzaji vina ubora unaokubalika na uliothibitishwa na Mamlaka.

(2) Mwagizaji wa vifaa kutoka nje ya nchi au msambazaji wa vifaa vya mawasiliano vya kielektroniki ambavyo hutumia masafa ya radio atahakikisha kwamba wateja wana leseni ya masafa kutoka Mamlaka.

(3) Bila kuathiri masharti ya jumla ya Kanuni hizi, mtu yeyote anaweza kuingiza ndani ya nchi aina yoyote ya vifaa vya mawasiliano vya elektroniki vilivyoidhinishwa na mamlaka kwa matumizi binafsi.

Dhamana

44. Mwagizaji wa vifaa kutoka nje ya nchi, msambazaji au muuzaji wa vifaa vya mawasiliano ya kielektroniki hataagiza kwa ajili ya kuuza au kusambaza kifaa chochote ambacho dhamana yake ni chini ya miezi kumi na miwili.

Ruhusa ya kufanya upekuzi

45. Afisa wa Mamlaka aliyeidhinishwa atakuwa na mamlaka ya kuingia ndani ya majengo ambayo yanayomilikiwa na mwenye leseni au wakala wake aliyesimika mfumo wa mawasiliano ya kielektroniki au kukagua

vifaa au usimikaji na kushuhudia majaribio ya vifaa hivyo.

Makosa na adhabu

46.-(1) Mtu yeyote atakayekiuka masharti ya Kanuni hizi atakuwa ametenda kosa na akitiwa hatiani atalipa faini isiyopungua shilingi milioni tano za kitanzania au adhabu ya kifungo kisichopungua miezi kumi na miwili au adhabu zote kwa pamoja.

(2) Bila kuathiri kanuni ndogo ya (1), pale ambapo mtu atakuwa ametenda kosa chini ya Kanuni hizi, Mkurugenzi Mkuu anaweza, iwapo mtu huyo anakubali kwa maandishi, kufililisha kosa hilo kwa kutoza kutoka kwa mtu huyo kiasi cha fedha kisichozidi kiasi cha faini iliyowekwa kwa kosa hilo.

Masharti ya mpito

47.-(1) Bila kujali masharti ya Kanuni hizi, leseni zote zilizotolewa kabla ya Kanuni hizi kuanza kutumika, zitaendelea kutumika kulingana na vigezo na masharti ya leseni hizo.

(2) Baada ya kumalizika muda wa leseni, mwenye leseni atakuwa na haki ya kuomba upya aina hiyo ya leseni kama iliyoainishwa kwenye Kanuni hizi, lakini hatakuwa na haki ya moja kwa moja ya uhuishaji wa leseni hiyo.

#### SEHEMU YA TANO MASHARTI YA JUMLA

Kuonyesha leseni

48. Mtu yeyote aliyepewa leseni na Mamlaka atahitajika kuiweka leseni hiyo katika majengo yake ya biashara.

Upatikanaji wa  
huduma za dharura

49.-(1) Wamiliki wa leseni za kutoa huduma za Mtandao watatoa huduma ya bure kwa huduma za dharura kama ilivyoelezwa katika Mpangilio wa Namba wa Taifa iliyotolewa na Mamlaka au kama itakavyoelekezwa na Mamlaka.

(2) Mmiliki wa leseni anaweza kutoa nafasi ya upatikanaji wa huduma za dharura, huduma za usalama na usaidizi kwa mujibu wa sheria za Jamhuri ya Muungano pamoja na viwango husika na mikataba ya kimataifa.

(3) Waziri anayehusika na masuala ya huduma za maudhui na utangazaji au mtu mwingine yeyote aliyeidhinishwa na Waziri anaweza, kwa amri iliyotolewa, kumhitaji mmiliki yeyote wa huduma ya maudhui kutangaza mara moja au ndani au wakati wowote na kwa namna yoyote ilivyoelezwa, tangazo lolote ambalo Waziri anaona kuwa na maslahi ya usalama wa taifa au ya maslahi ya umma.

(4) Endapo Waziri atakuwa na maoni kwamba utangazaji wa suala lolote au jambo la aina yoyote utakuwa ni kinyume kwa usalama wa taifa au maslahi ya umma, anaweza, kwa taarifa ya maandishi, kupeleka zuio la utangazaji wa suala hilo kwenye ofisi ya mwenye leseni kuzuia utangazaji wa suala au jambo hilo na mwenye leseni atatekeleza maelekezo ya taarifa hiyo.

(5) Endapo kuna tukio la dharura Mamlaka inaweza kumtaka mwenye leseni kutoa huduma stahiki kwa Serikali kwa kutoa kipaumbele kwenye shughuli za kusaidia zinazohitajika kuondokana na dharura.

(6) Katika kipindi cha miezi mitatu baada ya kupewa leseni, mmiliki

wa leseni atatakiwa kuwasilisha kwa Mamlaka mpango na utaratibu ambao ataufuata wakati wa matukio yoyote ya dharura na atahusha mpango huo wa dharura kutokana na mahitaji ya Mamlaka.

(7) Endapo kutakuwa na dharura ambayo inahusiana na usalama wa taifa, mmiliki wa leseni atashirikiana na mamlaka husika itakayotajwa na Mamlaka na atatekeleza mpango wa dharura kwa namna ambayo itaonekana inafaa kwa mujibu wa maagizo yatakayotolewa na Mamlaka.

Kufutwa  
TS. Na. 430 la 2011

50. Kanuni za Leseni za Mawasiliano ya Kielektroniki na Posta za Mwaka 2011 zinafutwa.

MAJEDWALI

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## JEDWALI LA KWANZA

### AINA ZA LESENI, ADA NA MUDA WA LESENI

*((Limetengenezwa chi ya kanuni ya 4, 8, 9,10 na 39))*

#### 1. A: NETWORK FACILITIES

| Market Segments    | Type of Facility                                                                                                                         | Applica<br>tion Fee<br>(USD) | Initial<br>Licence<br>Fee<br>(USD) | Renewal<br>Licence<br>Fee<br>(USD) | Royalty<br>Fee<br>(Gross<br>Annual<br>Turnover<br>i.e.<br>“GAT”) | Duration of<br>Licence<br>(Years) | Type of Licence |
|--------------------|------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|------------------------------------|------------------------------------|------------------------------------------------------------------|-----------------------------------|-----------------|
| Interna-<br>tional | Gateway facilities such as Earth Satellite Station, VSAT, Submarine cable, Switching Centres, Nodes and Servers, Multiplexer and others. | 10,000                       | 200,000                            | 300,000                            | 1% of GAT                                                        | 25                                | Individual      |
| National           | Switching, transmissions and access facilities such as VSAT; Submarine cable,                                                            | 10,000                       | 400,000                            | 500,000                            | 1% of GAT or USD 3,000 whichever is greater                      | 25                                | Individual      |
| Regional           | Microwave links; Fixed links, Switching Centres, Laid cables; Fibre                                                                      | 1,000                        | 15,000                             | 17,250                             | 1% of GAT or USD 2,500 whichever is greater                      | 25                                | Individual      |

|          |                                                                                                 |     |       |       |                                             |    |            |
|----------|-------------------------------------------------------------------------------------------------|-----|-------|-------|---------------------------------------------|----|------------|
| District | Optic, Exchange, Nodes, Servers, Towers, Ducts, Transmitters and Links, Multiplexer and others. | 100 | 3,000 | 3,450 | 1% of GAT or USD 1,000 whichever is greater | 25 | Individual |
|----------|-------------------------------------------------------------------------------------------------|-----|-------|-------|---------------------------------------------|----|------------|

## 2. NETWORK SERVICES

| Market Segments | Type of Service                                                                                                                                                                              | Application Fee (US \$) | Initial Licence Fee (US \$) | Renewal Licence Fee (US \$) | Royalty Fee (Gross Annual Turnover i.e. "GAT") | Duration of Licence (Years) | Type of Licence |
|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|-----------------------------|-----------------------------|------------------------------------------------|-----------------------------|-----------------|
| Interna-tional  | A) Electronic communications network operations with the following features:<br>1. Network access codes<br>2. Interco-nnection capabilities<br>B) Virtual Electronic Communi-cation Services | 10,000                  | 300,000                     | 400,000                     | 1% of GAT                                      | 25                          | Individual      |
| National        |                                                                                                                                                                                              | 5,000                   | 600,000                     | 750,000                     | 1% of GAT or USD 3,000 whichever is greater    |                             | Individual      |
| Regional        |                                                                                                                                                                                              | 2,000                   | 23,100                      | 26,500                      | 1% of GAT or USD 2,500 whichever is greater    | 10                          | Individual      |
| District        |                                                                                                                                                                                              | 100                     | 5,000                       | 5,750                       | 1% of GAT or USD 1,000 whichever is greater    |                             | Individual      |

## 3. APPLICATION SERVICES

SUB-CATEGORY A: WITH NETWORK FACILITIES AND NETWORK SERVICES  
LICENCES

| Market Segments | Type of Service                                                                                                                                               | Application Fee (US \$) | Initial Licence Fee (US \$) | Renewal Licence Fee (US \$) | Annual Fee (US \$)                          | Duration of Licence in Years | Type of Licence |
|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|-----------------------------|-----------------------------|---------------------------------------------|------------------------------|-----------------|
| International   | To provide international connectivity/bandwidth whether by satellite or submarine or other technologies                                                       | 5,000                   | 100,000                     | 120,000                     | 1% of GAT                                   | 10                           | Individual      |
| National        | To provide to the public voice, message, Internet services, Internet Telephony (VoIP), pay phone, Value Added Services, Data services, Tracking services etc  | 1,000                   | 10,000                      | 13,500                      | 1% of GAT or USD 3,000 Whichever is greater | 10                           | Individual      |
| Regional        | To provide to the public voice, message, Internet services, Internet Telephony (VoIP), pay phone, Value Added Services, Data services, Tracking services etc. | 100                     | 1000                        | 1,150                       | 1% of GAT or USD 2,500 Whichever is greater | 5                            | Individual      |
| District        |                                                                                                                                                               | 50                      | 200                         | 230                         | 1% of GAT or USD 1,000 Whichever is greater |                              | Individual      |

SUB-CATEGORY B: WITHOUT NETWORK FACILITIES AND NETWORK SERVICE  
LICENCES

| Market Segments    | Type of Service                                                                                                                                                                                                              | Application Fee (US\$) | Initial Licence Fee (US\$) | Renewal Licence Fee (US \$) | Annual Fee (US \$)/Royalty                  | Duration of Licence in Years | Type of Licence |
|--------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|----------------------------|-----------------------------|---------------------------------------------|------------------------------|-----------------|
| International      | To provide international connectivity/ band width whether by satellite or submarine or other technologies                                                                                                                    | 5,000                  | 100,000                    | 115,000                     | 1% of GAT                                   | 10                           | Individual      |
| National           | To provide Internet services, pay phone, internet Telephony (VoIP) Data services, Tracking services, financial services, gaming services, virtual applications services, virtual application and any other related services. | 1,000                  | 10,000                     | 11,500                      | 1% of GAT or USD 3,000 Whichever is greater | 5                            | Individual      |
| Regional           |                                                                                                                                                                                                                              | 200                    | 1000                       | 1,150                       | 1% of GAT or USD 1,500 Whichever is greater |                              | Individual      |
| District           |                                                                                                                                                                                                                              | 50                     | 200                        | 230                         | 1% of GAT or USD 500 Whichever is greater   |                              | Individual      |
| National (Private) | Closed User Group                                                                                                                                                                                                            | 1000                   | 5000                       | 5,000                       | USD 500 per V-SAT –Urban                    | 3                            | Class           |

|  |  |  |  |  |                                                                 |  |  |
|--|--|--|--|--|-----------------------------------------------------------------|--|--|
|  |  |  |  |  | USD<br>100 per<br>V-SAT-<br>Rural &<br>underser<br>ved<br>areas |  |  |
|--|--|--|--|--|-----------------------------------------------------------------|--|--|

SUB-CATEGORY C: APPLICATION SERVICE LICENCE WITH NUMBERS ONLY

| Market Segments | Type of Service                                        | Applica-<br>tion Fee<br>(US \$) | Initial<br>Licence<br>Fee (US \$) | Renewal<br>Licence<br>Fee (US \$) | Annual<br>Licence<br>Fee<br>(US \$) | Duration<br>of Licence<br>in Years | Type of<br>Licence |
|-----------------|--------------------------------------------------------|---------------------------------|-----------------------------------|-----------------------------------|-------------------------------------|------------------------------------|--------------------|
| National        | Value<br>added<br>Services<br>using<br>Numbers<br>only | 50                              | 500                               | 500                               | 500                                 | 3                                  | Class              |

4. CONTENT SERVICES LICENCES

SUB-CATEGORY 4A: CONTENT BROADCASTING (FREE TO AIR)

| Licence<br>Category | Market<br>segment                          | Applica-<br>tion<br>fees(US<br>\$) | Constru-<br>ction Permit<br>fees<br>(US \$) | Initial<br>Licence<br>Fees<br>(US \$) | Renewal<br>Licence<br>Fees (US<br>\$) | Annu-<br>al Fees<br>(US \$) | Duration<br>of<br>Licence<br>(Years) | Class of<br>Licence |
|---------------------|--------------------------------------------|------------------------------------|---------------------------------------------|---------------------------------------|---------------------------------------|-----------------------------|--------------------------------------|---------------------|
|                     | (I) RADIO BROADCASTING (FREE TO AIR)       |                                    |                                             |                                       |                                       |                             |                                      |                     |
| Public              | National                                   | NA                                 |                                             | NA                                    |                                       | N/A                         | NA                                   | Indivi-<br>dual     |
| Private             | National                                   | 2,000                              | 500                                         | 20,000                                | 3,000                                 | 20,000                      | 5                                    | Indivi-<br>dual     |
|                     | Regional                                   | 1,000                              | 500                                         | 15,000                                | 2,000                                 | 15,000                      | 5                                    | Indivi-<br>dual     |
|                     | District                                   | 1,000                              | 500                                         | 2,000                                 | 1,500                                 | 2,000                       | 5                                    | Indivi-<br>dual     |
| Communi-<br>ty      | Communi-<br>ty                             | 1,000                              | 500                                         | 700                                   | 500                                   | 700                         | 5                                    | Indivi-<br>dual     |
|                     | (II) TELEVISION BROADCASTING (FREE TO AIR) |                                    |                                             |                                       |                                       |                             |                                      |                     |
| Public              | National                                   | NA                                 |                                             | NA                                    |                                       | N/A                         | NA                                   | Indivi-<br>dual     |
| Private             | National                                   | 5,000                              | 500                                         | 28,000                                | 6,000                                 | 28,000                      | 5                                    | Indivi-<br>dual     |

|           |           |       |     |       |       |       |   |            |
|-----------|-----------|-------|-----|-------|-------|-------|---|------------|
|           | District  | 1,000 | 500 | 4,000 | 1,500 | 4,000 | 5 | Individual |
| Community | Community | 1,000 | 500 | 1,000 | 1,000 | 1,000 | 5 | Individual |

**SUB-CATEGORY 4B: CONTENT BROADCASTING (AUTHORITY TO BROADCAST)**

| Licence Category                                                | Market Segment | Application Fees (US \$) | Initial Licence Fees (US \$) | Renewal Licence Fees (US \$) | Annual licence Fees (US \$) | Duration of Licence in Years | Class of Licence |
|-----------------------------------------------------------------|----------------|--------------------------|------------------------------|------------------------------|-----------------------------|------------------------------|------------------|
| Channels Aggregators (Network Facility Licensee and Multiplex ) | National       | 10,000                   | 100,000                      | 120,000                      | 1% of GAT                   | 10                           | Individual       |
| Channel Aggregator (cable)                                      | National**     | 1,000                    | 1,500                        | 1,500                        | 2,500                       | 3                            | Class            |
|                                                                 | Regional**     | 200                      | 1,000                        | 1,000                        | 1,000                       | 3                            | Class            |
|                                                                 | District**     | 100                      | 300                          | 300                          | 500                         | 3                            | Class            |
| Content Services (Other Technologies)                           | National       | 1,000                    | 3,000                        | 1,500                        | 3,000                       | 5                            | Individual       |
| Content Services by Subscription ( For Aggregation)             | National       | 1,000                    | 1,500                        | 1,500                        | 2,500                       | 5                            | Individual       |
|                                                                 | Regional       | 100                      | 500                          | 500                          | 1,000                       | 5                            | Individual       |
|                                                                 | District       | 50                       | 250                          | 250                          | 500                         | 5                            | Individual       |
| Support Services (Satellite)                                    | National       | 1,000                    | 100,000                      | 115,000                      | 1% of GAT                   | 10                           | Individual       |

**CHANNEL AGGREGATOR (CABLE)**

District Aggregator\*\* Refers to subscribers from 10 to 1000

Regional Aggregator\*\*\* Refers to subscribers from 1001 to 5000

National Aggregator \*\*\*\* Refers to subscribers from 5001 and above

**TELEVISION BROADCASTING TERRESTRIAL (Differential Pricing and Motive to Roll Out)**

| Class A: @ US \$ 2,000.00 | Class B: @ US \$ 500.00 |
|---------------------------|-------------------------|
| Arusha                    | Geita                   |
| Dar es salaam             | Kagera                  |
| Dodoma                    | Katavi                  |
| Iringa                    | Kigoma                  |

|             |                   |
|-------------|-------------------|
| Kilimanjaro | Lindi             |
| Mbeya       | Manyara           |
| Mwanza      | Mara              |
|             | Morogoro          |
|             | Mtwara            |
|             | Njombe            |
|             | Pwani             |
|             | Rukwa             |
|             | Ruvuma            |
|             | Shinyanga         |
|             | Simiyu            |
|             | Singida           |
|             | Songwe            |
|             | Tabora            |
|             | Tanga             |
|             | Any Other Regions |

5. INSTALLATION AND MAINTENANCE, IMPORTATION, DISTRIBUTION AND  
SELLING OF ELECTRONIC COMMUNICATION EQUIPMENT  
LICENCES

| S/N | Type of Licence/<br>Authorization | Market<br>Segment | Applicatio<br>n Fee<br>(US \$) | Renewal<br>Licence Fee<br>(US \$) | Annual<br>licence Fee<br>(US \$) | Licence<br>Duration<br>Years |
|-----|-----------------------------------|-------------------|--------------------------------|-----------------------------------|----------------------------------|------------------------------|
| 1.  | Installation and<br>Maintenance   | Class A           | 25                             | 25                                | 1,000                            | 3                            |
|     |                                   | Class B           | 25                             | 25                                | 500                              | 3                            |
| 2.  | Importation                       | National          | 25                             | 25                                | 1,500                            | 3                            |
| 3.  | Distribution<br>(wholesalers)     | National          | 25                             | 25                                | 500                              | 3                            |
|     |                                   | Regional          | 10                             | 10                                | 150                              | 3                            |
|     |                                   | District          | 10                             | 10                                | 50                               | 3                            |
| 4.  | Selling(Retail)                   | National          | 15                             | 15                                | 250                              | 3                            |
|     |                                   | Regional          | 10                             | 10                                | 80                               | 3                            |
|     |                                   | District          | 10                             | 10                                | 25                               | 3                            |

6. RADIO FREQUENCY SPECTRUM USAGE LICENCES

SUB -CATEGORY 6 A: RADIO COMMUNICATION STATION LICENCES AND FEES

| S/N | Types of Station Licence                                             | Application fees (US \$) | Annual Licence fee/station/ bandwidth (US \$) | Renewal fee (US \$) | Duration of licence (years) |
|-----|----------------------------------------------------------------------|--------------------------|-----------------------------------------------|---------------------|-----------------------------|
| 1.  | Tanzania Amateur station Licence                                     |                          |                                               |                     |                             |
|     | • Amateur radio station                                              | 10                       | 20                                            | 10                  | 3                           |
|     | • Amateur experimental station                                       | 10                       | 10                                            | 10                  | 3                           |
|     | • Amateur novas Station                                              | 10                       | 10                                            | 10                  | 3                           |
| 2.  | Ship Station*                                                        | 25                       | 500                                           | 25                  | 3                           |
| 3.  | Aircraft Station*                                                    | 25                       | 500                                           | 25                  | 3                           |
| 4.  | HF Fixed/Mobile Radio Station                                        | 10                       | 120                                           | 10                  | 3                           |
| 5.  | VHF/UHF Fixed/Mobile/Portable Radio Station with Single Frequenc     | 10                       | 70                                            | 10                  | 3                           |
| 6.  | VHF/UHF Fixed/Mobile/Portable Radio Station with pair of Frequencies | 10                       | 80                                            | 10                  | 3                           |
| 7.  | VHF/UHF Radio Repeater                                               | 10                       | 100                                           | 10                  | 3                           |
| 8.  | HF Cross Boarder Station                                             | 10                       | 120                                           | 10                  | 3                           |
| 9.  | Transportable Satellite Transceiver Station                          | 10                       | 3,000                                         | 10                  | 3                           |
| 10. | Registration for Satellite Mobile Phone/Devices                      | 500                      | 1,500                                         | 500                 | 3                           |
| 11. | Public Satellite Ground Earth Station                                | 10                       | 5,000                                         | 10                  | 3                           |
| 12. | Wireless Data Radio Links/Repeater Radio Station                     | 10                       | 70                                            | 10                  | 3                           |
| 13. | Fixed-satellite Broadcasting Earth Station                           | 10                       | 5,000                                         | 10                  | 3                           |
| 14. | Global Maritime Distress and Safety System - GMDSS                   | **15                     |                                               | 15                  | 3                           |

| S/N | Types of Station Licence | Application fees (US \$) | Annual Licence fee/station/ bandwidth (US \$) | Renewal fee (US \$) | Duration of licence (years) |
|-----|--------------------------|--------------------------|-----------------------------------------------|---------------------|-----------------------------|
|-----|--------------------------|--------------------------|-----------------------------------------------|---------------------|-----------------------------|

NB:\* Fees charged as one station

\*\* Fees charged in respect of certificate

**SUB-CATEGORY 6 B: RADIO FREQUENCY SPECTRUM USER CHARGES**

| S/N | Types of Station Licence            |                                                                             | Annual Licence fee/station/ Bandwidth (US \$) | Duration of licence (years) |
|-----|-------------------------------------|-----------------------------------------------------------------------------|-----------------------------------------------|-----------------------------|
| 18. | Transmission/Base station Charges   | Repeaters/BTS/Transmission Links                                            | 70.00 per station                             | 10                          |
| 19. | Frequency Bandwidth/Channel Charges | Band A<br>450MHz, 800MHz, 900 MHz, 1800MHz, 2100MHz                         | 7,500.00 per 1MHz bandwidth per Zone          | 10                          |
|     |                                     | Band B<br>2300MHz, 2500MHz, 2000MHz                                         | 2,500.00 per 1MHz bandwidth per Zone          | 10                          |
|     |                                     | Band C<br>1850MHz, 1900MHz, 3.1, 3.3, 3.5, 4.0, 4.9, 5.2, 5.4, 5.7, 5.8 GHz | 1,250.00 per 1MHz bandwidth per Zone          | 10                          |
|     |                                     | Band D<br>Microwave Links (Long haul): 5, 6, 7, 8, 10, 11GHz                | 1000.00 per 1MHz bandwidth per Zone           | 10                          |
|     |                                     | Band E<br>Microwave Links (Short haul): 13, 15, 18, 23GHz                   | 750.00 per 1MHz bandwidth per Zone            | 10                          |
|     |                                     | Band F<br>Microwave Links/Access: 26, 28, 32, 38 GHz                        | 350.00 per 1MHz bandwidth per Zone            | 10                          |

SUB-CATEGORY 6C: RADIO SPECTRUM FEES FOR BROADCASTING NETWORKS

| Type | Description                                                                                                                                                                                                            | Annual license fees per Tx (US \$) | Duration of licence (years) |
|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|-----------------------------|
| RB 1 | MF/HF Radio Broadcasting transmitter (Tx)                                                                                                                                                                              | 1,000                              | 5                           |
| RB 2 | VHF FM Radio broadcasting transmitter providing signal coverage in Regional towns and surroundings with equal or less than 10 points of presence                                                                       | 1,000                              | 5                           |
| RB 3 | VHF FM Radio broadcasting transmitter providing signal coverage in Regional towns and surroundings with more than 10 point of presence                                                                                 | 800                                | 5                           |
| RB 4 | VHF FM Radio broadcasting transmitter providing signal coverage in District towns and surroundings with equal or less than 20 points of presence                                                                       | 500                                | 5                           |
| RB 5 | VHF FM Radio broadcasting transmitter providing signal coverage in District towns and surroundings with more than 20 points of presence                                                                                | 200                                | 5                           |
| RB 6 | VHF FM Radio broadcasting transmitter – gap fillers                                                                                                                                                                    | 100                                | 5                           |
| RB 7 | VHF FM Radio broadcasting transmitter providing signal coverage other than mentioned above ( <i>transmitters installed in rural areas</i> )                                                                            | 50                                 | 5                           |
| TD 1 | VHF/UHF digital Television transmitters providing signal coverage in Regional towns and surroundings with equal or less than 5 point of presence (Applicable to multiplex operators)                                   | 1,000                              | 5                           |
| TD 2 | VHF/UHF digital Television transmitters providing signal coverage in Regional towns and surroundings with more than 5 point of presence ( <i>eirp equal to or more than 1 kW</i> ) (Applicable to multiplex operators) | 500                                | 5                           |
| TD 3 | VHF/UHF digital Television transmitters providing signal coverage in District towns and surroundings with equal or less than 20 point of presence (Applicable to multiplex operators)                                  | 200                                | 5                           |
| TD 4 | VHF/UHF digital Television transmitters providing signal coverage in District towns and surroundings with more than 20 point of presence) (Applicable to multiplex operators)                                          | 100                                | 5                           |
| TD 5 | VHF/UHF digital Television transmitters- gap fillers transmitters Applicable to multiplex operators)                                                                                                                   | 50                                 | 5                           |
| TD 6 | VHF/UHF digital television transmitters providing signal coverage other than that mentioned in RA11, and 13 (transmitter installed in rural areas) (Applicable to multiplex operators)                                 | 50                                 | 5                           |
| TSTL | Studio Transmitter Links for DTT                                                                                                                                                                                       | 500                                | 5                           |
| RSTL | Studio Transmitter Link Digital/Analogue Radio/Audio Broadcasting Service                                                                                                                                              | 70                                 | 5                           |

SUB-CATEGORY 6 D: V-SAT LICENCES

|  | Licence | Application | Renewal | Annual | Duration |
|--|---------|-------------|---------|--------|----------|
|--|---------|-------------|---------|--------|----------|

| S/No. |                                                    | Fees (US\$) | Licence Fees (US\$) | Fees (US\$) | of Licence (Years) |
|-------|----------------------------------------------------|-------------|---------------------|-------------|--------------------|
| 1.    | Cross border –Dedicated V-SAT                      | 200         | 200                 | 1,500       | 3                  |
| 2.    | Cross border –Commercial V-SAT                     | 200         | 200                 | 3,000       | 3                  |
| 3.    | Domestic Private- Dedicated- V-SAT                 | 200         | 200                 | 500         | 3                  |
| 4.    | Domestic –Commercial - V-SAT                       | 200         | 200                 | 1,000       | 3                  |
| 5.    | V-SAT Terminal for Radio Determination Services    | 100         | 100                 | 200         | 3                  |
| 6.    | V-SAT Terminal for Space Research related services | 100         | 100                 | 200         | 3                  |
| 7.    | V-SAT Terminal for Amateur Satellite Services      | 100         | 200                 | 200         | 3                  |
| 8.    | Receive only V-SAT                                 | 100         | 100                 | Exempted    | 3                  |

#### 7. NUMBERING FEES

| S/N | Type of Numbering Resource                                                  | Application Fees (US \$) | Registration Fees (US \$) | Annual Maintenance Fees (US \$) (payable one year after registration) | Duration of Licence (Years) |
|-----|-----------------------------------------------------------------------------|--------------------------|---------------------------|-----------------------------------------------------------------------|-----------------------------|
| 1   | Prefix for Networks (NDC & MNDC)                                            | 10                       | 2,000                     | 2,000                                                                 | 1                           |
| 2   | Subscriber Numbers                                                          | NA                       | NA                        | US\$ 0.20 per Subscriber Number                                       |                             |
| 3   | National Signalling Point Codes (SPC)                                       | 10                       | 2,000                     | 2,000                                                                 | 1                           |
| 4   | International Signalling Point Codes (ISPC)                                 | 10                       | 2,000                     | 2,000                                                                 | 1                           |
| 5   | Mobile Network Identification Codes (MNIC)                                  | 10                       | 2,000                     | 2,000                                                                 | 1                           |
| 6   | SIM Header                                                                  | 10                       | 2,000                     | 2,000                                                                 | 1                           |
| 7   | Data Network Identification Codes (DNIC)                                    | 10                       | 2,000                     | 2,000                                                                 | 1                           |
| 8   | Corporate Services Network Access Numbers                                   | 10                       | 2,000                     | 2,000                                                                 | 1                           |
| 9   | Carrier Selection/Pre-selection Codes                                       | 10                       | 10,000                    | 5,000                                                                 | 1                           |
| 10  | Premium Rate Access Codes (block)                                           | 10                       | 2,000                     | 5,000                                                                 | 1                           |
| 11  | Special & Fixed Rate Access Codes (block)                                   | 10                       | 2,000                     | 5,000                                                                 | 1                           |
| 12  | Special & Fixed Rate Access Codes Premium Rate Access Codes (Single number) | 10                       | 1,000                     | 2,000                                                                 | 1                           |
| 13  | USSD Short Codes                                                            | 10                       | 2,000                     | 2,500                                                                 | 1                           |

| S/N | Type of Numbering Resource                         | Application Fees (US \$) | Registration Fees (US \$) | Annual Maintenance Fees (US \$) (payable one year after registration) | Duration of Licence (Years) |
|-----|----------------------------------------------------|--------------------------|---------------------------|-----------------------------------------------------------------------|-----------------------------|
| 14  | <b>VAS SMS &amp; Special Services Short Codes:</b> |                          |                           |                                                                       |                             |
|     | - GOLD                                             | 10                       | 4,000                     | 2,500                                                                 | 1                           |
|     | - SILVER                                           | 10                       | 3,000                     | 2,500                                                                 | 1                           |
|     | - BRONZE                                           | 10                       | 2,000                     | 2,500                                                                 | 1                           |
|     | - ORDINARY                                         | 10                       | 1,500                     | 2,500                                                                 | 1                           |

#### 8. POSTAL AND COURIER SERVICE LICENCES

| S/No | Licence Categories      | Application Fee (US \$) | Initial Licence Fee (US \$) | Licence Renewal Fee (US \$) | Royalty / Annual Fee (US \$) | Duration of licence in Years |
|------|-------------------------|-------------------------|-----------------------------|-----------------------------|------------------------------|------------------------------|
| 1.   | Public Postal Licensee  | 1,000                   | 10,000                      | 1,000                       | 9,000                        | 25                           |
| 2.   | International Courier   | 75                      | 9,000                       | 75                          | 9,000                        | 4                            |
| 3.   | East Africa Courier     | 50                      | 3,500                       | 50                          | 3,500                        | 3                            |
| 4.   | Domestic Courier        | 25                      | 2,000                       | 25                          | 2,000                        | 3                            |
| 5.   | Intra-City Courier      | 25                      | 750                         | 25                          | 750                          | 3                            |
| 7.   | Inter-City Transporters | 25                      | 350                         | 25                          | 350                          | 3                            |

#### 9. TYPE APPROVAL EQUIPMENT FEES

| S/NO | TYPE OF EQUIPMENT                                                                                                            | APPLICATION FEES (US \$) | APPROVAL FEES (US \$) |
|------|------------------------------------------------------------------------------------------------------------------------------|--------------------------|-----------------------|
| 1.   | Terminal Electronic Communications Equipment                                                                                 |                          |                       |
|      | Basic Telephone Sets, Data Modems, Mobile Phones, VHF/UHF Radio, Wireless Modules, Land Mobile Cellular Telephone Sets, etc. | 10.00                    | 50.00                 |
| 2.   | Office Communications Systems (PABX)                                                                                         |                          |                       |
|      | 2.1 Up to 50 Extensions                                                                                                      | 10.00                    | 100.00                |
|      | 2.2 51 extensions and above                                                                                                  | 10.00                    | 300.00                |
| 3.   | Network Electronic Communications Equipment                                                                                  |                          |                       |
|      | 3.1 Base Stations, etc.                                                                                                      | 10.00                    | 1,000.00              |
|      | 3.2 Switching Equipment                                                                                                      | 10.00                    | 1,000.00              |

#### 10: CHANGE OF NAME, SHAREHOLDING STRUCTRE AND TRANSFER OF LICENCE

*Kanuni Za Leseni Za Mawasiliano Ya Kielektroniki Na Posta*  
*Tangazo la Serikali Na.914 (Linaendelea.)*

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| S/N | ISSUE                            | TYPE OF LICENCE                                                                 | CHANGE FEES (US \$)  |
|-----|----------------------------------|---------------------------------------------------------------------------------|----------------------|
| 1   | Change of Name                   | Network Facilities, Network Services, Content Services and Application Services | 1,000                |
|     |                                  | Other Licences                                                                  | 200                  |
| 2   | Change of Shareholding Structure | Network Facilities, Network Services, Content Services and Application Services | 1,500                |
|     |                                  | Other Licences                                                                  | 500                  |
| 3   | Transfer of Licence              | All Licences                                                                    | 1% of the sale price |

JEDWALI LA PILI

*(Limetengenezwa chini ya kanuni ya 38(3))*

PERFORMANCE BANK GUARANTEE

To:  
The Director General  
Tanzania Communications Regulatory Authority  
P. O. Box 474  
DAR ES SALAAM

In consideration of the Tanzania Communications Regulatory Authority (hereinafter referred to as the "AUTHORITY") having agreed to grant Licences to M/s ..... of P. O. Box ..... (hereinafter referred to as "LICENSEE") to provide ..... (hereinafter referred to as "Licensed Services") on the terms and conditions contained in the said Licences, which inter alia provides for production of a Bank Guarantee to the extent of USD ..... (United States Dollars ..... Only) (GUARANTEED AMOUNT) for provision of the services by way of security for the due observance and performance of the terms and conditions of the said Licences.

1. We, ..... (indicate the name and address and other particulars of the BANK) (hereinafter referred to as "the Bank") at the request of the LICENSEE hereby irrevocably and unconditionally guarantee to pay the AUTHORITY a sum of USD ..... (United States Dollars ..... Only) or any part of this guaranteed amount against any loss or damage caused to or suffered or would be caused to or suffered by the AUTHORITY by reason of any breach by the said LICENSEE of any of the terms and conditions contained in the said Licences.

2. We, ..... ("the BANK"), hereby undertake to pay the guaranteed or any part thereof due and payable under this guarantee without any demur, on a written demand from the AUTHORITY stating that the amount claimed is due by way of loss or damage caused or would be caused to or suffered by the AUTHORITY by reason of breach by the said LICENSEE of any of the terms or conditions contained in the said Licences or by reason of the Licensee's failure to perform any of its obligations under the said Licences.

3. We, ..... ("the BANK"), do hereby agree that the decision of the Authority as to whether the LICENSEE has failed to or neglected to perform or discharge his duties and obligations under the terms and conditions of the said Licences and as to the amount payable to the AUTHORITY by the Bank hereunder shall be final and binding on the Bank.

4. We, ..... ("the BANK"), DO HEREBY DECLARE AND AGREE that:-

- (a) the Guarantee herein contained shall remain in full force and effect up to ....., 20..... or shall expire on the date that the full GUARANTEED AMOUNT has been paid to the AUTHORITY under the terms and conditions of this guarantee;
- (b) the AUTHORITY shall have the fullest liberty without our consent and without affecting in any manner our obligations hereunder to vary any of the terms and conditions of the said

Licences or to extend time of performance of any obligations by the said LICENSEE from time to time or to postpone for any time or from time to time any of the powers exercisable by the AUTHORITY against the said LICENSEE and to forbear or to enforce any of the terms and conditions relating to the said Licences and we shall not be relieved from our liability by reason of any variation or extension being granted to the said LICENSEE or forbearance act or omission on the part of the AUTHORITY or any indulgence by the AUTHORITY to the said LICENSEE or to give such matter or thing whatsoever which under the law relating to sureties would but for this provision, have effect of so relieving us.

- (c) any claim which we have against the LICENSEE shall be subject and subordinate to the prior payment and performance in full of all the obligations of us hereunder and we will not without prior written consent of the AUTHORITY exercise any legal right or remedy of any kind in respect of any such payment or performance so long as the obligations of us hereunder remain owing and outstanding.

5. We, .....(the BANK) undertake to pay the AUTHORITY the amount demanded within thirty days after receipt of the demand.

6. The guarantee is neither negotiable nor transferable, is restricted to the payment of the sum of money only and is limited to the GUARANTEED AMOUNT.

7. We, .....(the BANK) undertake not to revoke this Guarantee during its currency except with the previous consent in writing of the AUTHORITY.

8. This guarantee shall be governed by and construed in accordance with the laws of Tanzania.

Issued by:

..... (The bank)

Name .....

Qualification: .....

Signature: .....

**NOTE:**

The amount to be specified in the performance bank guarantee shall be as follows:-

- (a) National Network Facilities and Network Services Licence- USD 2,000,000;
- (b) Support Services for Subscription Content Services-USD 100,000 (The amount to increase with growth of subscriber base);
- (c) Subscription Content Services minimum \$100.00 increasing depending on growth of subscriber base.

JEDWALI LA TATU

(Limetengenezwa chini ya kanuni ya 39)

THE UNITED REPUBLIC OF TANZANIA

TANZANIA COMMUNICATIONS REGULATORY AUTHORITY  
ISO 9001:2008 CERTIFIED



APPLICATION FORM FOR RENEWAL OF INDIVIDUAL LICENCE

| APPLICATION FOR RENEWAL OF INDIVIDUAL LICENCE               |                                                         |                                   |
|-------------------------------------------------------------|---------------------------------------------------------|-----------------------------------|
| <b>SECTION I: PARTICULARS OF LICENSEE</b>                   |                                                         |                                   |
| 1.1                                                         | Name of Licensee                                        |                                   |
| 1.2                                                         | Licensee's registered physical and Postal Address       |                                   |
| 1.3                                                         | Contacts-                                               | Telephone:                        |
|                                                             |                                                         | Email:                            |
|                                                             |                                                         | Fax:                              |
|                                                             | Contact person                                          | Telephone:                        |
| Email:                                                      |                                                         |                                   |
| <b>SECTION II: DETAILS OF LICENCE</b>                       |                                                         |                                   |
| 2.1                                                         | Radio Frequency Issued                                  |                                   |
| 2.2                                                         | Date of Issuance                                        |                                   |
| 2.3                                                         | Date of Expiry                                          |                                   |
| 2.4                                                         | Service area/market Segment                             |                                   |
| 2.5                                                         | Date of application for renewal                         |                                   |
| 2.6                                                         | Renewal Fees Payment Receipt                            |                                   |
| <b>SECTION III: SERVICES PROVIDED UNDER THE LICENCE (S)</b> |                                                         |                                   |
|                                                             | Type of Service                                         | Subscriber Base and coverage area |
|                                                             |                                                         |                                   |
|                                                             |                                                         |                                   |
|                                                             |                                                         |                                   |
| <b>SECTION IV: DOCUMENTS REQUIRED TO BE SUBMITTED</b>       |                                                         |                                   |
| 4.1                                                         | Current Shareholding structure                          |                                   |
| 4.2                                                         | Roll out Plan – Existing and Future                     |                                   |
| 4.4                                                         | List of Contract(s) with other communication licensees. |                                   |
| 4.5                                                         | Personnel (List of Staff & Their Designations)          |                                   |

**SECTION V: DECLARATION**

I declare that the information given above is true to the best of my knowledge and I will be liable for any false information provided.

Name \_\_\_\_\_ Designation \_\_\_\_\_  
Official Stamp \_\_\_\_\_ Date \_\_\_\_\_

THE UNITED REPUBLIC OF TANZANIA

TANZANIA COMMUNICATIONS REGULATORY AUTHORITY  
ISO 9001:2008 CERTIFIED



APPLICATION FORM FOR RENEWAL OF CLASS LICENCE

| APPLICATION FOR RENEWAL OF CLASS LICENCE               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |            |
|--------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| <b>SECTION I: PARTICULARS OF LICENSEE</b>              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |            |
| 01                                                     | Name of Licensee                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |            |
| 02                                                     | Type of Licence (s)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |            |
| 03                                                     | Licensee's registered physical and Postal Address                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |            |
| 04                                                     | Contacts-                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Telephone: |
|                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Email:     |
|                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Fax:       |
|                                                        | Contact person                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Telephone: |
|                                                        | Email:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |            |
| <b>SECTION II: DETAILS OF LICENCE</b>                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |            |
| 2.1.                                                   | Type of Licence                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |            |
| 2.2                                                    | Radio Frequency Issued, if any                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |            |
| 2.3                                                    | Date of Issue                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |            |
| 2.4                                                    | Date of Expiry                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |            |
| 2.5                                                    | Service area/market Segment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |            |
| 2.6                                                    | Date of application for renewal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |            |
| 2.7                                                    | Renewal Fees Payment Receipt                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |            |
| <b>SECTION III: DOCUMENTS REQUIRED TO BE SUBMITTED</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |            |
|                                                        | <ol style="list-style-type: none"><li>1. copy of latest annual fee payment receipt</li><li>2. copy of issued Licence</li><li>3. for V-sat Station to submit technical specification of the V-sat station(s)</li><li>4. for Installation &amp; Maintenance to submit list of customers served by applicant.</li><li>5. To submit certified copies of:-<ol style="list-style-type: none"><li>5.1 Copy of Tax Identification Number</li><li>5.2 Copy of Business Licence</li><li>5.3 Copy of Certificate of Incorporation (for companies)</li><li>5.4 For Sole Proprietors to submit Business Registration Certificate.</li></ol></li></ol> |            |

**SECTION IV: DECLARATION**

I declare that the information given above is true to the best of my knowledge and I will be liable for any false information provided.

Name \_\_\_\_\_ Designation \_\_\_\_\_

Official Stamp \_\_\_\_\_ Date \_\_\_\_\_

JEDWALI LA NNE

*(Limetengenezwa chini ya kanuni ya 23)*

THE UNITED REPUBLIC OF TANZANIA

TANZANIA COMMUNICATIONS REGULATORY AUTHORITY  
ISO 9001:2008 CERTIFIED



APPLICATION FORM FOR CHANGE OF NAME

|     |                                                   |                                                                                    |
|-----|---------------------------------------------------|------------------------------------------------------------------------------------|
| S/N |                                                   |                                                                                    |
| 01  | Name of Licensee                                  |                                                                                    |
| 02  | Type of Licence                                   |                                                                                    |
| 03  | Licensee's registered physical and Postal Address |                                                                                    |
| 04  | Proposed Name                                     |                                                                                    |
| 05  | Reasons for change of name                        |                                                                                    |
| 06  | Declaration                                       | I declare that all what is stated hereinabove is true to the best of my knowledge. |

Name \_\_\_\_\_  
Designation \_\_\_\_\_

Official Stamp \_\_\_\_\_  
Date \_\_\_\_\_

Dar es Salaam,  
30<sup>th</sup> January, 2018

MAKAME M. MBARAWA  
*Minister for Works, Transport  
and Communications*

