

Namibia

Communications Act, 2009

Regulations under section 27(1) of the Namibian Communications Commission Act, 1992

Government Notice 108 of 2007

Legislation as at 15 November 2017

FRBR URI: /akn/na/act/gn/2007/108/eng@2017-11-15

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PDF created on 13 May 2024 at 08:51.

Collection last checked for updates: 15 November 2017.

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Republic of Namibia
Annotated Statutes

Communications Act, 2009

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Government Notice 108 of 2007

[Published in Government Gazette 3858 on 15 June 2007](#)

Commenced on 15 June 2007

[This is the version of this document at 15 November 2017.]

[Note: The version of this legislation as at 15 November 2017 was revised and consolidated by the Legal Assistance Centre and the Government of the Republic of Namibia. All subsequent amendments have been researched and applied by Laws.Africa for Namibia.]

1. Definitions

In these regulations, unless the context otherwise indicates, a word or phrase to which a meaning has been assigned to in the Namibian Communications Commission Act, 1992 (Act [No. 4 of 1992](#)), and the Posts and Telecommunications Act, 1992 (Act [No. 19 of 1992](#)), has that meaning and -

“**commercial VSAT telecommunications licence**” means a telecommunication service licence authorising the provision of VSAT telecommunications services in question to other persons other than the licence holder;

“**private VSAT telecommunications licence**” means a telecommunications service licence authorising the licence holder to use the VSAT telecommunications services in question only for the purposes of the licence holder in question;

“**VSAT**” means a very small aperture terminal;

“**VSAT telecommunications licence**” means a telecommunications service licence authorising the transmission of data, voice or image: Provided that the Namibian Communications Commission will have the sole discretion in determining the type of transmission any category of licence is allowed to transmit.

2. Application for a VSAT telecommunications licence

- (1) Any person may apply for a VSAT telecommunications licence on a form provided by the Commission.
- (2) An application referred to in subregulation (1) must -
 - (a) contain all the information requested on the form referred to in subregulation (1);

- (b) contain all relevant information to enable the Commission to assess the nature of the services that the applicant intends to render;
 - (c) contain detailed information relating to any equipment transmitting or receiving radio waves that will be used by the applicant or its clients in connection with these services;
 - (d) be accompanied by the applicable application fee referred to in regulation 3.
- (3) The Commission may request any further information relevant to the application.

3. Application fees

The application fees for the telecommunications licences are-

- (a) N\$ 10 000.00 for a commercial telecommunications licences;
- (b) N\$ 1 000.00 for private telecommunications licence.

4. Licence fees

- (1) The following licence fees are payable annually in respect of telecommunication licences-
- (a) for commercial VSAT telecommunications licence, 2% of the turnover (as defined in section 1 of the Income Tax Act, 1981 (Act [No. 24 of 1981](#)), of the licence holder;
 - (b) for private VSAT telecommunications licence issued to a person other than a person referred to in paragraph (c), N\$20 000.00;
 - (c) for a private VSAT telecommunications licence issued to a voluntary association, educational, health or religious institutions or a company referred to in section 21 of the Companies Act, 1973 (Act [No. 61 of 1973](#)), N\$2 500.00.
- (2) Notwithstanding the provisions contained in these regulations, the Namibian Communications Commission has the right to refuse the issuing of a VSAT telecommunications licence to any person applying without having to give reasons for doing so.