



## SPECIAL REQUIREMENTS OF OBTAINING A TELECOMMUNICATIONS LICENSE

### SPECIAL REQUIREMENTS OF OBTAINING A TELECOMMUNICATIONS LICENSE

Any person or a company that wishes to operate any electronic communications system or offer postal communications, electronic communications, or content services is required by the law to apply for the license from the Authority. Licenses in the telecommunications industry have been categorized into various types which include, network facilities licenses; network services licenses; application services licenses; content services licenses, and postal and courier services licenses.

#### 1. Individual Licenses

- **Network facility license;** this is for the provision of any element or combination of physical infrastructure used principally for, or in connection with, the provision of Content services and other Application services, but not including customer premises equipment;
- **Network service license;** issued for services of carrying information in the form of speech or other sound, data, text, or images, using guided or unguided electromagnetic energy, but not including services provided solely on the customer side of the network boundary;
- **Application service license;** for services of reselling of electronic communication services to end-users; and
- **Content service license;** a service offered for sound, data, text, or images whether still or moving except where transmitted on private communication.

**Network Services License** and the **Application Services license** are appropriate for interment Service Providers, as they enable the company to provide Internet Services of internet access, internet transit, domain name registration, web hosting, Usenet services, and colocation and so on. It should be noted that an Application Services license gives the licensee flexibility in engaging in a variety of application services provision which includes public voice, message, Internet services, Internet Telephony (VoIP), pay phone, Value Added Services, Data Services, Tracking services, financial services, gaming services, virtual applications services, and so on.

Furthermore, an individual license shall be issued to any person financially and technically capable of meeting his statutory and regulatory obligations which include issuance quality of service, licensed area, interconnection, consumer protection, universal service obligation, shareholding structure, and roll-out plan as well as the obligations outlined in the individual license concerned. The Authority may upon application by the license holder renew an individual license for a term to be agreed between the Authority and the licensee concerned, where the licensee continues to fulfill the shareholding requirements under the law.



## SPECIAL REQUIREMENTS OF OBTAINING A TELECOMMUNICATIONS LICENSE

### 1. Class Licenses

- Importation, Distribution, and Sale of Electronic Communication Equipment
- Installation and Maintenance of Electronic Communication Equipment, and
- Postal/Courier Services

### **Application for license**

An application for a license shall be required to be accompanied by the following information-

- A certificate of incorporation or registration;
- Business plan for the proposed services;
- Technical proposal for the services to be provided including the roll out plans;
- Previous experience in the provision of the services;
- Proof of the applicant is financially capable; and
- Any other information as the Authority may require.

However, any application for an electronic communication license that uses frequency bands that are competitive shall in addition to the requirements above, submit the network plan and configuration for deployment; technical specifications and manuals of equipment to be used, and products and services to be offered. Further, every applicant shall be required to have a physical address in a place within the United Republic and shall provide the same to the Authority.

### **Publication of notice of application**

Upon receipt of an application, the Authority shall publish a notice of the application in local newspapers inviting comments from the public, within fourteen days from the date of publication. The requirement for publication shall not apply to a license of a duration below five years.

### **Grant of license**

The authority shall within 30 days and completion of the evaluation process notify successful and unsuccessful applicants of the results of the application. Further, where frequency requirement is involved, the applicant shall make a separate application for a radio frequency user license. Grant of a license shall be subject to satisfaction of the Authority that the facilities are following conditions stipulated in the construction permit.



## SPECIAL REQUIREMENTS OF OBTAINING A TELECOMMUNICATIONS LICENSE

### Network facilities license

However, it is important to understand that the government's current policy is that any company holding network services or network facilities license must reserve at least 25% of its shareholding to Tanzanian citizens through a public offering regulated by the Dar es Salaam Stock Exchange and any company holding a contents service license, must have at least 51% local shareholding ownership. The shareholding requirements imposed by the Tanzania Communications Regulatory Authority are an on-going obligation throughout the term of the licensee issued.

Licensees are strictly prohibited to transfer, assign or dispose of the rights and obligations under the license without prior written consent from TCRA. Also prohibited to alienate in any way the license or any part of it thereof without prior written consent from TCRA. Nevertheless, the licensee still enjoys full discretion to appoint agents or sub-contractors to enable him to efficiently exercise its rights and obligations under the license.