

GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 35 OF 2010

**The Information and Communication
Technologies Act, 2009**
(Act No. 15 of 2009)

**The Information and Communication Technologies
(Electronic Communications) (Licensing)
Regulations, 2010**

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY

Regulation

1. Title
2. Interpretation

PART II

LICENSING PROVISIONS

3. Application for network licence
4. Application for service licence
5. Application by agent
6. Request for further particulars
7. Network and service licence
8. Rejection of application by Authority
9. Appeals
10. Application to transfer licence
11. Application to vary licence
12. Application for renewal
13. Suspension or revocation of licence
14. Fees

SCHEDULE

*Copies of this Statutory Instrument can be obtained from the Government Printer,
P.O. Box 30136, 10101 Lusaka Price K16,000 each*

10. (1) An application to transfer a licence shall be made to the Authority in Form IX set out in the Schedule. Application to transfer licence
- (2) An application to transfer a licence shall be accompanied by an application for a licence, made by the prospective transferee.
- (3) The Authority shall, where the Authority—
- (a) rejects an application to transfer a licence, endorse the rejection on the licence; and
- (b) grants an application to transfer a licence, endorse the grant on the licence.
11. (1) An application to vary or amend the terms and conditions attached to a licence shall be made to the Authority in Form X set out in the Schedule. Application to vary licence
- (2) The Authority shall, where the Authority—
- (a) rejects an application to vary or amend the terms and conditions attached to a licence, endorse the rejection on the licence; and
- (b) grants an application to vary or amend the terms and conditions attached to a licence, endorse the grant on the licence.
- (3) The Authority may, by notice given in Form XI set out in the Schedule vary or amend the terms and conditions attached to a licence.
12. (1) An application for the renewal of a licence shall be made to the Authority in Form XII set out in the Schedule. Application for renewal
- (2) The Authority shall, where the Authority—
- (a) rejects an application for renewal of a licence, endorse the rejection on the licence; and
- (b) grants an application for renewal of a licence, endorse the grant on the licence.
13. The Authority shall suspend or revoke a licence in Form XIII set out in the Schedule. Suspension or revocation of licence
14. The fees set out in the Information and Communication Technologies (Fees) Regulations, 2010, shall be the prescribed fees for the purposes of these Regulations. Fees SI No. of 2010

	<i>(b)</i> Company address					
	<i>(c)</i> Company registration No. (Attach certified copies of certificate of registration)					
	<i>(d)</i> Shareholders-	Shareholder	Shares held	Nationality	NRC/ Passport No.	
	<i>(e)</i> Directors	Director	Address	Shares held	Nationality	NRC/ Passport No.
	<i>(f)</i> Partners					
6.	Previously held licences in Zambia, if any, by applicant issued under the Information and Communication Technologies Act, 2009	Licence (Type and Licence No.)		Location		
		<i>(a)</i>		<i>(a)</i>		
		<i>(b)</i>		<i>(b)</i>		
		<i>(c)</i>		<i>(c)</i>		
		<i>(d)</i>		<i>(d)</i>		
		<i>(e)</i>		<i>(e)</i>		
		<i>(f)</i>		<i>(f)</i>		

Appendix No. 4	Investment certificate issued by the Zambia Development Agency, where applicable			
Appendix No. 5	Certified photocopies of work permits and other relevant permits issued by the Immigration Department			
Appendix No. 6	Details of wholesale charges to be made to other licensees or third parties (including termination and interconnection charges)			
Appendix No. 7	Evidence that the proposed network shall provide availability of emergency services where appropriate			
Appendix No. 8	Tax Payers Identification Number (TPIN)			
Appendix No. 9	Any other information which the Authority may require			

* The information required to be included in the various appendices

QUALITY OF SERVICE UNDERTAKING

I/we declare that the quality of service I/we provide shall meet the minimum requirements set out under the Act or any other law or, guidelines published by the Authority or any international standard to which the licence requires adherence.

DECLARATION

I/we declare that all the particulars and information provided in this application are complete, correct and true and I/we agree that in the event that any of the said particulars and information provided is found to be untrue or fraudulent, the licence will be revoked. I/we agree that in the event of the revocation of the licence, any fee paid to the Authority for a licence shall be forfeited. I/we declare that in the event that the nature of my/our business changes, or I/we no longer carry out operations in terms of the licence, I/we will notify the Authority in which case my/our licence may be revoked or revised. Declared at this day of 20 by the following persons who are duly authorised to sign for and on behalf of the applicant under the authority of the Power of Attorney or Board Resolution which is hereby attached.

_____ *Applicant's name* _____ *Date*

_____ *Applicant's signature*

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Received by: _____
Officer

RECEIPT No.

Date Received _____

STAMP

Amount Received _____

Serial No. of application: _____

	((Attach certified copies of certificate of registration))				
	(d) Shareholders-	Shareholder	Shares held	Nationality	NRC/ Passport No.
	(e) Directors	Director	Address	Shares held	Nationality NRC/ Passport No.
	(f) Partners				
6.	Previously held licences in Zambia, if any, by applicant issued under the Information and Communication Technologies Act, 2009	Licence (Type and Licence No.)		Location	
		(a)		(a)	
		(b)		(b)	
		(c)		(c)	
		(d)		(d)	
		(e)		(e)	
		(f)		(f)	

Appendix No. 6	Tax Payers Identification Number (TPIN)			
Appendix No. 7	Information of the contact person authorized to represent the applicant			
Appendix No. 8	Such other relevant information as the Authority may require			

* The information required to be included in the various appendices

QUALITY OF SERVICE UNDERTAKING

I/we declare that the quality of service I/we provide shall meet the minimum requirements set out under the Act or any other law or, guidelines published by the Authority or any international standard to which the licence requires adherence.

DECLARATION

I/we declare that all the particulars and information provided in this application are complete, correct and true and I/we agree that in the event that any of the said particulars and information provided is found to be untrue or fraudulent, the licence will be revoked. I/we agree that in the event of the revocation of the license, any fee paid to the Authority for a licence shall be forfeited. I/we declare that in the event that the nature of my/our business changes, or I/we no longer carry out operations in terms of the licence, I/we will notify the Authority in which case my/our licence may be revoked or revised. Declared at this day of 20 by the following persons who are duly authorised to sign for and on behalf of the applicant under the authority of the Power of Attorney or Board Resolution which is hereby attached.

Applicant's name

Date

Applicant's signature

FOR OFFICIAL USE ONLY

Received by: _____

Officer

RECEIPT No.

Date Received _____

Amount Received _____

STAMP

Serial No. of application: _____

(Regulation 5)

(LOGO)

THE ZAMBIA INFORMATION AND COMMUNICATION TECHNOLOGY AUTHORITY

The Information and Communication Technologies Act, 2009

(Act No. 15 of 2009)

The Information and Communication Technologies(Electronic Communications) (Licensing) Regulations, 2010

REQUEST FOR FURTHER PARTICULARS

To (1)..... (1) Here insert the full names and address of applicant(

.....

.....

In relation to your application for (2).....with reference number (3) you are hereby requested to furnish the following information or documents in respect of your application/in respect of the application for..... 2) Here insert type of application

(a)..... (3) Here insert reference No. of application

(b).....

(c).....

(d).....

withindays. If you fail to furnish the requested information within the stipulated period, your application will be treated as invalid and shall be rejected.

Dated this.....day of.....20.....

(4)..... (4) Signature of Director-General

Director-General

Transfers/ Amendments or variations/ renewals

<i>Date of transfer/ amendment/</i>	<i>Details of transfer/ amendment/variation/</i>	<i>Date of Registration and Registration No.</i>	<i>Signature of Director-General</i>

Transfers/ Amendments or variations/ renewals

<i>Date of transfer/ amendment/</i>	<i>Details of transfer/ amendment/variation/</i>	<i>Date of Registration and Registration No.</i>	<i>Signature of Director-General</i>

Form VIII
(Regulation 8)

(LOGO)

**THE ZAMBIA INFORMATION AND COMMUNICATION
TECHNOLOGY AUTHORITY**

The Information and Communication Technologies Act, 2009
(Act No. 15 of 2009)

**The Information and Communication Technologies
Electronic Communications) (Licensing) Regulations, 2010**

NOTICE OF APPEAL TO THE TRIBUNAL

To the Minister IN THE MATTER OF I hereby
(Application reference and matter of appeal) give notice of appeal against the decision
of the Authority on the following grounds:*

(a).....

(b).....

(c).....

(d).....

Dated this day of 20.....

.....
Signature of Appellant

* Attach brief

5.	(a) Company name				
	(b) Company address				
	(c) Company registration No. (Attach certified copies of certificate of registration)				
(e) Directors	Shareholder	Shares held	Nationality	NRC/ Passport No.	
	-----	-----	-----	-----	
	-----	-----	-----	-----	
	-----	-----	-----	-----	
	-----	-----	-----	-----	
(d) Directors	Director	Address	Shares held	Nationality	NRC/ Passport No.
	-----	-----	-----	-----	
	-----	-----	-----	-----	
	-----	-----	-----	-----	
	-----	-----	-----	-----	
(d) Partners					
(f) Partnership					
6.	Proposed transferee/assignee (should include details of transferee/assignee, its directors, share held by directors, director's nationality and director's NRC/Passport No.)	Name		Nationality	
7.	Appendices				
	Appendix No. 1	Minutes of company, or partnership meeting at which decision was made			

Form X

(Regulation 11)

(To be completed in triplicate)

(LOGO)

**THE ZAMBIA INFORMATION AND COMMUNICATION
TECHNOLOGY AUTHORITY**

The Information and Communication Technologies Act, 2009

(Act No. 15 of 2009)

The Information and Communication Technologies

(Electronic Communications) (Licensing) Regulations, 2010

APPLICATION TO VARY OR AMEND LICENCE					
		Shaded fields for official use only	Licence code		
			Date/Time		
<i>Information Required</i>		<i>Information Provided</i>			√
1.	Type of licence				
2.	(a) Name(s) of applicant(s)				
	(b) Type of applicant	Individual	Company	Partnership	
3.	(a) Nationality				
	(b) Identity card (National Registration Card No. or Passport No.) – Attach certified copies				
4.	(a) Notification address				
	Tel:				
	Fax:				
	E-mail:				
	(b) Information of contact person authorised to represent the applicant				
	Tel:				
	Fax:				

Applicant's name

Date

Applicant's signature

FOR OFFICIAL USE ONLY

Received by: _____
Officer

RECEIPT No.

Date Received _____

Amount Received _____

STAMP

Serial No. of application: _____

