

Understanding the role of ZICTA

The Information and Communications Technology (ICT) sector in Zambia offers numerous products and services to consumers. The assimilation of ICT goods and products cuts across socio-economic and geographical boundaries. These products have become embedded in the Zambian society. The rapid assimilation has resulted in companies, known as ICT dealers, advertising and selling ICT services such as internet bundles, voice calls, short messaging services (sms), among others.

In the process of purchasing these ICT products and services, consumers in this case known as 'buyer', are sometimes short changed through elements of unfair trading. The opposite can also happen in instances where consumers manipulate the seller of these products or provider of the services. Such situations therefore, need to be avoided by ensuring that a win-win situation between a consumer and service provider is created. But wait a minute, who is responsible for regulating the ICT sector in Zambia? Government created an institution to act as referee in the ICT sector, and the institution is called Zambia Information and Communications Technology Authority (ZICTA) also known as the Authority.

ZICTA is an autonomous body established under the Information and Communications Technology (ICT) Act No. 15 of 2009 to regulate the information and communication technology and postal and courier services sectors in Zambia. The regulatory functions and responsibilities of ZICTA are drawn from the ICT Act No. 15, 2009, the Electronic Communications and Transactions Act No. 21 of 2009 and the Postal Services Act No. 22, 2009.

Under the ICT Act, the Authority has a mandate to regulate the provision of electronic communication services and products and monitor the performance of the sector, including the levels of investment and the availability, quality, cost and standards of the electronic communication services. What this means is that under the ICT Act, ZICTA has to ensure that a conducive environment for investment is created in the ICT sector.

The Authority is also mandated to enforce the Electronic Communications and Transactions Act primarily with a view to create a safe, secure and effective environment for the consumers, business sector and the Government to conduct and use electronic communications. This piece of legislation ensures that electronic or online platforms such as facebook, emails, whatsapp among other platforms are safe and secure for Zambian consumers. In other words, using this Act, the Authority is empowered to create safe and secure cyber space. Here, the Authority is mandated to administer the country code top-level domain and electronic addresses such as .zm domain.

The Postal Services Act mandates the Authority to license providers and operators of postal and courier services and facilitate the provision of a wide range of postal and

courier services to promote economic growth and development. It also gives powers to the Authority to encourage and promote research and the advancement of technology in the provision of postal and courier services. What this means is that any person or entity that is moving items or parcels from one point to another, a bus company inclusive, has to be registered by ZICTA. This is in the best interest of Consumers and Dealers within the sector as it brings sanity and order by ensuring that all players are regulated and conduct their businesses for the benefit of all stakeholders.

All in all, the Authority's mandate can be summed up into three (3) broader areas - technical regulation, economic regulation and consumer protection. Let's briefly look at each of these areas.

Technical regulation - under this areas, the Authority is mandated to look at a number of issues, but for the sake of this article, we can look at issues of type approval and setting standards for the sector. The Authority has a role to ensure that the equipment and any electronic communication devices that are sold and later on used in Zambia are approved to be used for that purpose. By so doing, the Authority sets standards that are in alignment with regional and international standards. This is done in collaboration with Zambia Bureau of Standards.

In short, any electronic communication device such as phone, computer or television cannot be sold on the Zambian market unless it is approved by the Authority. It is therefore, important for any person who sells or deals in such products to obtain a Dealer Certificate from ZICTA.

The second mandate borders on economic regulation. Under this, the Authority is mandated to promote fair competition among players in the ICT sector in the interest reduced prices or competitive tariffs, good quality of service and promote innovation among other benefits. In other words, the Authority approves all tariffs and promotions in the ICT sector before they are introduced to the consumers by the service providers. And when one looks at all these promotions and reduced tariffs, their benefits trickle down to consumers because they are the most valuable stakeholders.

This brings us to another function of ZICTA under Section 6 of the ICT Act - that is consumer protection. Under consumer protection, the Authority is mandated to ensure that it promotes the interests of consumers, purchasers and other users of information and electronic communications services, including persons with disabilities and the aged in respect of the accessibility, quality and variety of the services and equipment. This mandate is aimed at enhancing the welfare of consumers of ICT goods and services, and in so doing the Authority puts in place mechanisms to ensure that their rights are protected, and have value for their money.

These three (3) Acts and functions discussed today are among numerous public documents which members of the public can access by visiting the ZICTA website indicated on the details below.

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