

Statutory Instrument 122 of 2013.

Statutory Instrument 115 of 2013, republished with corrections.

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Postal and Telecommunications (Licence Registration and Certification) (Amendment) Regulations, 2013 (No. 6)

IT is hereby notified that the Minister of Transport, Communication and Infrastructural Development has, in terms of section 99 of the Postal and Telecommunications Act [*Chapter 12:05*], after consultation with the Authority, made the following regulations: —

1. These regulations may be cited as the Postal and Telecommunications (Licensing, Registration and Certification) (Amendment) Regulations, 2013 (No. 6).

2. These regulations shall be deemed to have come into operation on the 10th of July, 2013.

3. The Second Schedule to the Postal and Telecommunications (Licensing, Registration and Certification) Regulations, 2001, published in Statutory Instrument 11A of 2001, is repealed and substituted with the following —

“SECOND SCHEDULE (Section 4(1) 7, 12, 16(1), 56)

PART I

FEEES FOR LICENCES OTHER THAN PRIVATE RADIO STATION LICENCE

US\$

1. Initial licence fees for public operators —

- | | |
|---|----------------|
| (a) The public fixed telecommunications Licence —
Initial or renewal fee payable on or before issue
of licence | 100 000 000,00 |
| (b) The public mobile cellular licence fees —
Initial or renewal fee payable on or before the issue
of licence | 137 500 000,00 |
| (c) Class A Internet access provider licence —
Initial or renewal fee payable on or before the issue
of a licence | 5 500 000,00 |
| (d) Class B Internet access provider licence —
Initial or renewal fee payable on or before issue of
the licence | 2 750 000,00 |

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US\$

- (e) The public data communication licence fees—
 - Initial or renewal fee payable on or before issue of the licence 2 750 000,00
- 2. Application and annual licence fees for Public fixed telecommunications licence and public mobile cellular licence—
 - (i) An application fee of 800,00
 - (ii) An annual fee of 2% of gross turnover, payable monthly in arrears, by the end of the following month, for 12 months or part thereof. Final payment, being balance of 2% of annual gross turnover less monthly payments already made, payable within 90 days of financial year end to be authenticated by an audit certificate.
- 3. Application and annual licence fees for IAP Class A—
 - (i) Application fee of 350,00
 - (ii) An annual fee of US\$100 000, 00 or 2 % of the annual gross turnover whichever is greater payable monthly in arrears, at the end of the following month, for 12 months or part thereof. Final payment, being balance of 2% of annual gross turnover less monthly payments already made payable within 90 days of financial year end to be authenticated by an audit certificate.
- 4. Application and annual licence fees for IAP Class B and Public Data—
 - (i) Application fee of 350,00
 - (ii) An annual fee of US \$60 000, 00 or 2% of the annual gross turnover whichever is greater payable monthly in arrears, at the end of the following month, for 12 months or part thereof. Final payment, being balance of 2% of annual gross turnover or US\$60 000,00 less monthly payments already made payable within 90 days of financial year end to be authenticated by an audit certificate.
- 5. Contribution to USF by all public licensees—

A contribution of 0.5% of monthly gross turnover as a direct contribution to the universal services fund payable monthly in arrears at the end of the following month, for 12 months or part thereof. Final payment, being balance of 0.5% of annual gross turnover less monthly payments already

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made, payable within 90 days of financial year end to be authenticated by an audit certificate.

6. The VSAT/Mobile Satellite Service Terminal (MSS) landing rights fees (payable in US dollars)—

- (i) VSAT: An annual fee payable in advance, per each VSAT station in full 1 500,00
- (ii) MSS Terminal: An annual fee payable in advance, per each transportable satellite or portable satellite phones (pro-rated for each calendar month or part thereof) 1 000,00

7. Frequency usage fees—

Spectrum location	Fec/kHz (USD)	Service Factor	
		(Private)	(Public)
0,008 < frequency band < 30 MHz	13,33	1,05	1
30 < frequency band < 70 MHz	3,20	1,05	1
70 < frequency band < 470 MHz	3,20	1,2	1
470 < frequency band < 694 MHz	3,20	1,5	1
694 < frequency band < 960 MHz	0,25	2,0	1
960 < frequency band < 2,690 MHz	0,25	2,0	1
2,69 < frequency band < 5,0 GHz	0,05	1,05	1
5,0 < frequency band < 8,5 GHz	0,05	3,0	1
8,5 < frequency band < 14,5 GHz	0,05	2,0	1
14,5 < frequency band < 19,0 GHz	0,05	1,05	1
19 < frequency band < 39 GHz	0,025	1,0	1
39 GHz < frequency band	0,025	0,5	1

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$\text{Spectrum Fee/ Channel} = \text{RFBW (kHz)} * [\text{Fee/kHz}] * [\text{Service Factor}] * [\text{Reuse Factor}] * [\text{Sharing Factor}]$ where:

“*Spectrum Fee / Channel*” is the fee payable in respect of a frequency together with the assigned bandwidth in a communication link. A Frequency Division Duplex (FDD) link is considered to be two channels;

Radio Frequency Bandwidth RFBW is the actual bandwidth occupied by channel;

“*Reuse Factor*” is the coefficient taking into account the number of times a frequency is reused in Zimbabwe. To encourage the efficient usage of spectrum, the ceiling for the chargeable reuse factor is pegged at 8, meaning that any reuse beyond 8 does not contribute to the spectrum fee.

“*Sharing Factor*” is the coefficient of the number of users sharing the same frequency in the same charging area. It is established as follows;

When two users share, a sharing factor of 0,8 shall apply

When three users share, a sharing factor of 0,7 shall apply

When four users share, a sharing factor of 0,65 shall apply

8. Number Fees—

Number fees shall be assigned in blocks of minimum size 1000 or 10 000 depending on the size of the exchange. Operators shall pay an annual fee of ten cents (US\$0,10) per number for all the blocks allocated.

9. Offences and penalty—

Any annual fee payable in terms of paragraphs 1, 2, 3, 4, 5, 6, 7, 8 and 9 not paid by the due date shall attract a penalty calculated at the ruling banking rate plus 10% of the payable amount:

Provided that any annual fee not paid within three months after the due date shall attract a penalty calculated at 100% of the fee payable plus interest calculated at the ruling bank rate.

Monthly returns shall be submitted on the date of payment of any fees payable in terms of paragraphs 1, 2, 3, 4, 5, 6, 7, 8, and 9. Failure to submit monthly returns shall attract a penalty of 1% of the payable amount.

PART II

PRIVATE RADIO STATION FEES AND CONDITIONS

<i>Licence</i>	<i>Conditions of issue</i>	<i>Fees in US\$</i>
1. Aircraft Station (VHF)	(a) Application fee (non-refundable)	30,00
	(b) Issuance/ Renewal fees for any Aircraft station working within a frequency	

<i>Licence</i>	<i>Conditions of issue</i>	<i>Fees in US\$</i>
	range of 30 to 300 megahertz, payable on or before expiry of current licence	160,00
	(c) Frequency User fees calculated using the formula specified in paragraph 1(d) of Part I	
2. Aircraft station (HF)	(a) Application fee (non-refundable) . . .	30,00
	(b) Issuance/ Renewal fees for any Aircraft station working within a frequency range of 3 to 30 megahertz. The licence is renewed annually upon payment of renewal fees or before expiry date of current licence	180,00
	(c) Frequency User fees calculated using the formula specified in paragraph 1(d) of Part I	
3. Amateur station	(a) Application fee (non-refundable) . . .	30,00
	(b) Issuance/ Renewal fees for any Aircraft station. Only one station chargeable per call sign. The licence is renewed annually upon payment of renewal fees on or before expiry of current licence	10,00
	(c) Frequency User fees calculated using the formula specified in paragraph 1(d) of Part I	
4. Citizen band	(a) Application fee (non-refundable) . . .	30,00
	(b) Issuance or renewal fee for a mobile station VHF band using pre assigned frequencies. The licence is renewed annually upon payment of renewal fees on or before expiry of current licence	50,00
	(c) Frequency User fees calculated using the formula specified in paragraph 1(d) of Part I	
5. Walkie talkie	(a) Application fee (non-refundable) . . .	30,00
	(b) Issuance/ renewal fee for a low power hand held station for two way communication. The licence is renewed annually upon payment of renewal fees on or before expiry of current licence	10,00

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<i>Licence</i>	<i>Conditions of issue</i>	<i>Fees in US\$</i>
	(c) Frequency User fees calculated using the formula specified in paragraph 1(d) of Part I	
6. Cordless telephone	(Subject to approved seal of approval)	Free
7. Model control	(a) Application fee (non-refundable)	30,00
	(b) Issuance/renewal fees: The licence is renewed annually upon payment of renewal fees on or before expiry of current licence	90,00
	(c) Frequency User fees calculated using the formula specified in paragraph 1(d) of Part I	
8. Meteorological Aid	(a) Application fee (non-refundable)	30,00
	(b) Issuance/renewal fees: The licence is renewed annually upon payment of renewal fees on or before expiry of current licence	90,00
	(c) Frequency User fees calculated using the formula specified in paragraph 1(d) of Part I	
9. Ship station (VHF)	(a) Application fee (non-refundable)	30,00
	(b) Issuance/ Renewal fee for a station authorised to work a maritime private enterprise radio communication system in the frequency range of 30 to 300 megahertz. The licence is renewed annually upon payment of renewal fees or before expiry date of current licence	90,00
	(c) Frequency User fees calculated using the formula specified in paragraph 1(d) of Part I	
10. Ship station (HF)	(a) Application fee (non-refundable)	30,00
	(b) Issuance/ renewal fee for a station authorised to work a maritime private enterprise radio communication system in the frequency range of 3 to 30 mega-	

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<i>Licence</i>	<i>Conditions of issue</i>	<i>Fees in US\$</i>
	hertz. The licence is renewed annually upon payment of renewal fees or before expiry date of current licence	90,00
	(c) Frequency User fees calculated using the formula specified in paragraph 1(d) of Part I	
11. VHF	(a) Application fee (non-refundable)	30,00
	(b) Issuance/ renewal fee for a station mobile or fixed not defined above and including paging transmitters authorised to work in the frequency range of 30 to 300 megahertz. The licence is renewed annually upon payment of renewal fees or before expiry date of current licence	10,00
	(c) Frequency User fees calculated using the formula specified in paragraph 1(d) of Part I	
12. HF (local)	(a) Application fee (non-refundable)	30,00
	(b) Issuance/ renewal fee for a station mobile or fixed not defined above and including paging transmitters authorised to work in the frequency range of 3 to 30 megahertz. The licence is renewed annually upon payment of renewal fees or before expiry date of current licence	50,00
	(c) Frequency User fees calculated using the formula specified in paragraph 1(d) of Part I	
13. HF (cross boarder)	(a) Application fee (non-refundable)	30,00
	(b) Issuance/ renewal fee for a station mobile or fixed not defined above and authorised to work in the frequency range of 3 to 30 megahertz across borders. The licence is renewed annually upon payment of renewal fees or before expiry date of current licence	150,00
	(c) Frequency User fees calculated using the formula specified in paragraph 1(d) of Part I	
14.	Renewal fees for annual licences payable in terms of sections 1, 2, 3, 4,5, 6,7, 8, 9, 10, 11 and 12, of Part II not paid on or before the expiry date of the current licence shall attract a penalty of 100% of the licence fee plus interest calculated at the ruling bank rate.	

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PART III
RADIO SERVICES

<i>Services</i>	<i>Fees in US\$</i>
1. Relocation of existing station/network	15,00
2. Addition of radios to existing network	15,00
3. Type approval of radio equipment	500,00
4. Registration as a Radio Dealer	120,00
5. Renewal of Radio Dealer Certificate	100,00
6. Application to sit for Amateur Radio Examination Certificate	10,00
7. Issue of duplicate Certificate of Competency	20,00
8. Inspection of newly established Amateur station	50,00
9. Inspection in connection with interference where apparatus is found to be faulty or inadequately maintained	200,00".

The Postal and Telecommunications (Licensing, Registration and Certification) (Amendment) Regulations, 2008 (No. 1), published in Statutory Instrument 14 of 2008 and the Postal and Telecommunications (Licensing, Registration and Certification) (Amendment) Regulations, 2008 (No. 5), published in Statutory Instrument 165 of 2008, are repealed.