

THE UNITED OF REPUBLIC OF TANZANIA
TANZANIA COMMUNICATIONS REGULATORY AUTHORITY
ISO 9001:2015 CERTIFIED



PUBLIC NOTICE

AMMENDMENT OF ELECTRONIC AND POSTAL COMMUNICATIONS REGULATIONS, 2022

1.0 INTRODUCTION:

Please be informed that, the Ministry for Information, Communication and Information Technology have reviewed the Electronic and Postal Communications (Licensing) Regulations, 2018, the Electronic and Postal Communications (Online Content) Regulations, 2020, the Electronic and Postal Communications (Radio and Television Broadcasting Content) Regulations, 2018 and the Electronic and Postal Communications (Digital and Other Broadcasting Networks and Services) Regulations, 2018 and published its respective new Electronic and Postal Communications (Amendment) Regulations, 2022.

1.1 THE ELECTRONIC AND POSTAL COMMUNICATIONS (LICENSING) (AMENDMENT) REGULATIONS, 2022

The principal Regulations has amended several regulations as highlighted below: -

- a) Removed the requirement to have a licence for selling of electronic communication equipment;
- b) Added the definitions of Application Services (e-Commerce) Licence, Class A Installation and Maintenance Licence, Class B Installation and Maintenance Licence, Landing Station and Special Content;
- c) Added the requirement for content services licensees who changes their physical address, not to commence operations at the new address without being inspected by the Authority;
- d) Added the requirement where transfer of shares involves change of majority shareholders, the licensee shall pay to the Authority transfer fees as prescribed in the First Schedule and the transfer shall be processed in accordance with the procedure of issuing new licence;
- e) Added Content Service by Subscription, Community Broadcasting Services and Application Service (e-Commerce) licences under the category of Class Licences;
- f) Added Data Centre and Submarine Cable Landing Station, Application Service (E - Commerce) Licences fees under the First Schedule;

- g) Revised Content Services, Installation and Maintenance, Importation and Distribution of Electronic Communication Equipment Licences fees and be paid in Tanzanian Shillings;
- h) Added Special Content (Educational) Television and Radio Licences;
- i) Revised Radio Spectrum Fees for Broadcasting Networks and be paid in Tanzanian Shillings;
- j) Revised V-SAT licences categories and fees;
- k) Revised Postal and Courier Service Licences fees and be paid in Tanzanian Shillings; and
- l) Added International Courier Licence under Individual licences category from Class Licences category.

1.2 THE ELECTRONIC AND POSTAL COMMUNICATIONS (ONLINE CONTENT) (AMENDMENT) REGULATIONS, 2022

The principal Regulations has amended several regulations as highlighted below: -

- a) Deleted the word “internet service providers” appearing between the words “providers” and “application” in regulation 2;
- b) Modified the definitions of online media services, online content aggregator, online content service, mainstream media and weblog;
- c) Deleted the definitions of internet café, online platform and news related content;
- d) Exempted Mainstream Media Licensee from having online media services licence for simulcasting or re-publication of content through the internet;
- e) Categorized Online Media Service Licences as shall be categorized as Online Media Service Category A which includes online content services and Online Media Service Category B which includes content aggregation;
- f) Added modified requirements for application of Online Media Service Licence;
- g) Added the validity for a period of Online Media Service Licence which three years, renewable;
- h) Added conditions for Online Content Services License Category A;
- i) Deleted the obligations of Internet Café;
- j) Modified regulation 18 on their obligations to children in accessing online content;
- k) Added Complaint handling procedures according to rules as may be prescribed by the Authority; and
- l) Amended First Schedule (Application Form for Online Content Services) and Second Schedule (Online Media Services Licence Fee).

1.3 THE ELECTRONIC AND POSTAL COMMUNICATIONS (RADIO AND TELEVISION BROADCASTING CONTENT) (AMENDMENT) REGULATIONS, 2022

The principal Regulations has amended several regulations as highlighted below: -

- a) Deleted the words “one point” appearing under regulation 3 in the definition of the term “district licence” and substituted with the words “up to three points”;
- b) Under regulation 37 deleted sub regulations (2) and (3) and added the requirement for licensee to notify the Authority in writing prior to hook up with any local or foreign station and the licensee who hooks up shall be responsible for any content which does not comply with the requirements of the Act or these Regulations;

- c) Added the requirement for a licensee to maintain copies of all broadcast transmission recordings for ninety days; and
- d) Permitted Radio station programmes to be telecasted on television channels, but the telecasted programmes shall not exceed twenty per cent of total number of radio programmes aired per month.

1.4 THE ELECTRONIC AND POSTAL COMMUNICATIONS (DIGITAL AND OTHER BROADCASTING NETWORKS AND SERVICES) (AMENDMENT) REGULATIONS, 2022

The principal Regulations has amended several regulations as highlighted below: -

- a) Added the definitions of live programmes and live events;
- b) Modified definitions of channel aggregator, hybrid network and support services;
- c) Deleted the following terms analogue broadcasting, Amplitude Modulation, existing content services provider, frequency assignment, Frequency Modulation, licence period, Live, Local entities, Motion Picture Expert Group and subscriber;
- d) amended in regulation 6 by deleting paragraph (c) and substituting it with this text “to facilitate provision of infrastructure, content aggregation and programme bouquet handling system that supports data paths embedded in the video stream based on open source (non-proprietary) multimedia system to enable Electronic Programme Guide (EPG) and Electronic Programme Information (EPI) for Free-To-Air (FTA) and Conditional Access for subscription services”;
- e) Modified regulation 14 to read “Any person who intends to assemble, maintain, import, distribute or sell integrated digital television, set top box, digital radio receiver or any other customer premise equipment for digital terrestrial broadcasting reception apply to the Authority to obtain the approval for appropriate class licence”;
- f) Amended by deleting the title of Part IV and substituting it with “PART IV SUBSCRIPTION BROADCASTING SERVICES”;
- g) Modified regulation 16 to read “A subscription channel may have sponsored programmes and commercial advertisements for a period not exceeding five minutes per hour”;
- h) Amended regulation 18 on Carriage of local free to air channels;
- i) Modified regulation 23 to read “The infrastructure for content services shall not be used for any other communication services without prior approval of the Authority”;
- j) Amended regulation 29 on Subscription television programmes;
- k) Amended regulation 30 on Notification for channels aggregation;
- l) Amended regulation 32 on Licensing of multiple television channels;
- m) Added “Resolution of Dispute on Service Level Agreements” and “appeal to the Authority and serve to the opposite party a copy of document containing the appeal” marginal notes and modified sub regulation (2), (3) and (5) under regulations 35;

2.0 THE NOTICE:

NOTICE is hereby given to the licensees and public to note changes in the amended Electronic and Postal Communications (Licensing) (Amendment) Regulations, 2022 and comply. The copies of the amended regulations are available on TCRA website under the following link <https://www.tcra.go.tz/documents/regulations>.

Director General
Tanzania Communications Regulatory Authority
P. O. Box 474
14414 DAR ES SALAAM
Tel: +255 22 241 2011-2
Fax: +255 22 2412009
E-mail: dg@tcra.go.tz