

GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 34 OF 2010

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

**The Information and Communication Technologies
(Fees) Regulations, 2010**

IN EXERCISE of the powers contained in section *ninety-one* of the Information and Communication Technologies Act, 2009, the following Regulations are hereby made:

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| 1. These Regulations may be cited as the Information and Communication Technologies (Fees) Regulations, 2010. | Title |
| 2. The fees set out in the Schedule are payable in respect of the matters specified therein. | Fees |
| 3. The Telecommunications (Licence Fees) Regulations, 2001, and the Radiocommunication (Licence Fees) Regulations, 2001, are hereby revoked. | Revocation of SI No. 87 of 2001 and SI No. 88 of 2001 |

SCHEDULE
(Regulation 2)

PRESCRIBED FEES

1. Spectrum Assignment Fees

<i>Spectrum band</i>	<i>Band limits</i>	<i>Fee</i>	
		<i>Fee mode</i>	<i>Fee Units</i>
Initial Spectrum Fee	1900 - 2200 MHz	—	12,000,000
Mobile/Broadband System	806 - 880MHz	Per 200KHz	155,556
GSM Bands	880 - 960MHz 1710 - 1880MHz	Per 200KHz	155,556
2.1GHz band (3G Spectrum)	1900 - 2200MHz	Per 200KHz	155,556
2.3GHz band	2200 - 2400MHz	Spectrum Fee Formula	13,889 per 1 MHz
2.5GHz band	2500 - 2690MHz	Spectrum Fee Formula	13,889 per 1 MHz
3.3GHz band	3300 - 3400MHz	Spectrum Fee Formula	13,889 per 1 MHz
3.5GHz band	3400 - 3600MHz	Spectrum Fee Formula	13,889 per 1 MHz
5.4GHz band	5470 - 5720MHz	Spectrum Fee Formula	13,889 per 1 MHz

<i>Spectrum band</i>	<i>Band limits</i>	<i>Fee</i>	
		<i>Fee mode</i>	<i>Fee Units</i>
Microwave link bands	1.350-1.400GHz 5.925 - 8.500GHz 10.70 - 12.50GHz 12.75 - 13.25GHz 14.50 - 15.35GHz 17.30 - 19.70GHz 22.00 - 24.00GHz	Per transmitter	2,778
Common bands (mainly for wireless networks)	2.400 - 2.500GHz 5.725 - 5.925GHz	Per transmitter	Free
Satellite bands	All satellite bands	Per transmitter	Cross Border: 130,000 Domestic Urban 13,889 Domestic Rural: 5,556 Radio Determination: Free Satellite Based Devices: 1,389 Satellite News Gathering: 1,389

<i>Spectrum band</i>	<i>Band limits</i>	<i>Fee</i>	
		<i>Fee mode</i>	<i>Fee Units</i>
Land mobile bands	0.009 - 30MHz	Per channel per broadcasting area	1. Standard HF shared channel 2,778 per channel 2. Standard HF exclusive channel: 5,556 per channel 3. Special channels (emergency channel, common use channels): <i>Free</i>
Land mobile bands	138 - 174MHz 230 - 235MHz 335.4 - 399MHz 406 - 430MHz 440 - 450MHz	Per channel Per broadcasting area	4. Standard (simplex) channel: 2,778 per channel broadcasting area 5. Special channels (Emergency channel, common use farmers channels): <i>Free</i>

<i>Spectrum band</i>	<i>Band limits</i>	<i>Fee</i>	
		<i>Fee mode</i>	<i>Fee Units</i>
Maritime bands	All maritime bands	Per channel per Broadcasting Area	6. Standard (simplex) channel: 2,778 per channel per broadcasting area 7. Special channels (emergency channel, common use maritime channel): <i>Free</i>
Cross border	SADC Crossborder HF frequencies	Per assignment	5,556
Commercial (Community) Repeater	—	Per assignment	13,889
Public Radio Paging Commercial	—	Per assignment	55,556

<i>Spectrum band</i>	<i>Band limits</i>	<i>Fee</i>	
		<i>Fee mode</i>	<i>Fee Units</i>
Paging bands	138 - 174MHz 230 - 235MHz 335.4 - 399MHz 406 - 430MHz 440 - 450MHz	Per channel per broadcasting area	8. Standard (simplex) channel: 2,778 per channel per broadcasting area
All radio location bands	—	Per transmitter (station)	278
Citizen band	Citizen bands	Per transmitter (station)	166
Radio model	—	Per transmitter (station)	222
Aeronautical commercial	All aeronautical bands	Per channel per broadcasting area	5,556
Aeronautical non-commercial	All aeronautical bands	Per channel per broadcasting area	2,778
Aircraft	All aeronautical bands	Per aircraft	1,389
Amateur	All aeronautical bands	Per certificate	347

<i>Spectrum band</i>	<i>Band limits</i>	<i>Fee</i>	
		<i>Fee mode</i>	<i>Fee Units</i>
FM/SW/MW sound Broadcasting	87.5 - 108MHz MW/SW Sound Broadcasting frequencies	Per transmitter (station)	Lusaka, Copperbelt and Livingstone broadcasting areas: 16,667 Others: 5,556
TV Broadcasting Terrestrial	174 - 238MHz 246 - 254MHz 470 - 806MHz	Per transmitter (station)	Lusaka, Copperbelt and Livingstone broadcasting area: 33,333 Others: 13,889

2. Other Fees

	Band limits	Fee	
		Fee mode	Fee Units
Installation inspection	—	Per site inspection	1,389
Equipment repairs workshop inspection	—	Per site inspection	1,389
Installations and equipment repairs workshop inspection	—	Per site inspection	1,389
Radio telephone operators restricted certificate (landmobile)	—	Per certificate	222
Radio telephone operators restricted certificate (maritime)	—	Per certificate	222
Application	—	Per Application	222
Duplicate licence	—	Per issue	222
Standard frequency	Standard frequency timesignal and frequencies	Per transmitter (station)	222

3. Spectrum Fee Formula

Spectrum fee = fee factor multiplied by total bandwidth_(MHz) multiplied by re-use factor multiplied by sharing factor, that is to say-

$$S_f = F * B_{(MHz)} * p * \delta$$

Where--

S_f - stands for spectrum fee;

F - stands for the fee factor as set by the Authority and applied by in accordance with the frequency band of the spectrum assigned;

$B_{(MHz)}$ - stands for the total assigned bandwidth in Mega Hertz;

p - stands for the re-use factor; and

δ - stands for the sharing factor; and where -

$p = 1$ (one) for each specified region relating to which spectrum has been dedicated to a user and 9 (nine) in all cases where spectrum is dedicated to a user for the whole country; and where.

$\delta = 1$ for each specified region relating to which spectrum has been dedicated to a user.

Notes:

- (i) the re-use factor shall be the total number of the specified regions in which the spectrum assigned may be used;
- (ii) the sharing factor shall be the inverse of the number of operators assigned the same spectrum in the same specified region; and
- (iii) specified region shall refer to the area in which the assigned spectrum may be used.

4. Network Licence

	<i>Licence Type</i>		<i>Fee Units</i>			
	<i>Individual</i>	<i>Class</i>	<i>Application fee</i>	<i>licence fee</i>	<i>Annual licence fee (of gross annual turnover)*</i>	
Network	—	—	55,556	4,000,000	2%	
				Fixed Internet	525,000	2%
Network	—	—	55,556	Wireless Internet	277,778	2%
				Public Data		
				Public Payphone		
				Private Network	555,556	—
Network service	—	—	55,556	4,000,000	2%	

Percentage of gross annual turnover excludes interconnect charges and is derived only from revenues earned from provision of licensed services

5. Service Licence

	<i>Licence Type</i>		<i>Fee Units</i>		
	<i>Individual</i>	<i>Class</i>	<i>Application fee</i>	<i>licence fee</i>	<i>Annual licence fee (of gross annual turnover)</i>
Mobile cellular	—	—	55,556	10,666,667	3%
International voice	—	—	55,556	9,333,333	3%
Fixed	—	—	55,556	2,666,667	3%
Internet					
Public Payphone	—	—	15,000	277,778	3%
Other	—	—	5,556	55,556	—

Percentage of gross annual turnover excludes interconnect charges and is derived only from revenues earned from provision of licensed services

NOTES

Renewal Fees

The fees payable upon renewal of a licence shall be those applicable in the case of an application.

PROF. G. LUNGWANGWA,
*Minister of Communications
and Transport*

LUSAKA
15th April, 2010