



**UGANDA
COMMUNICATIONS
COMMISSION**

FRAMEWORK FOR SPECTRUM ASSIGNMENT TO TELECOMMUNICATIONS SERVICES IN UGANDA, 2019

JULY 2019



**UGANDA
COMMUNICATIONS
COMMISSION**

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1.0 INTRODUCTION

Radio spectrum refers the portion of the electromagnetic spectrum between 3Hz and 300 GHz which, by virtue of its natural characteristics, is suitable for the propagation of radio waves. The radio spectrum is a limited finite resource that is vital to all wireless technologies and services. Spectrum, therefore, has to be properly managed to ensure that its use by all radio-communication services and users is in a manner that is rational, equitable, efficient and maximises socio-economic benefit to the country.

Spectrum assignment determines who gets to access which spectrum, in which geographic area and for what communication service. The level of demand for spectrum varies and therefore the approach to spectrum assignment differs with services supported.

The Uganda Communications Commission (the Commission) is mandated under section 5(1)(c) of the Uganda Communications Act 2013, to allocate, license, standardize and manage the use of the radio spectrum resources in a manner that ensures widest variety of programming and optimal utilization of spectrum resources.

2.0 AMENDMENT OF THE GUIDELINES

This Guidelines shall be subjected to periodic reviews to enable inclusion of any new developments due to evolution of the communications industry, changes in policies and regulations as well as emergent international good practice.

3.0 OBJECTIVES OF THE GUIDELINES

The objectives of these Guidelines are to: -

- a)* improve the efficient and effective use of spectrum in the country;
- b)* enhance the management of spectrum to promote competition in the use of spectrum and in the provision of communication services in Uganda;
- c)* improve the access by all persons in both urban and rural areas across Uganda to reliable, quality and affordable communications services;
- d)* steer the use of spectrum to respond to the economic and social requirements of Uganda;
- e)* promote innovation and adoption of new technologies.

4.0 INTERPRETATIONS

In this Guidelines, unless the context otherwise requires: -

- i)* **“Assignment”**: the grant of authorization by the Commission to a person to use a designated frequency or channel under specified conditions.
- ii)* **“Act”**: the Uganda Communications Act 2013 as amended from time to time.
- iii)* **“Auction”** is the use of a bidding approach to assign usage right for specific frequency channel or frequencies in a certain area, at certain times, for a specific period.
- iv)* **“Commission”**: the Uganda Communications Commission established under section 4 of the Uganda Communications Act 2013.
- v)* **“Communications”**: means telecommunications, data communication, radio communications, postal, communications and includes broadcasting.
- vi)* **“Interference”**: means the effect of unwanted energy due to one or a combination of emissions, radiations, or inductions upon reception in a radio-communication system, manifested by any performance degradation, misinterpretation, or loss of information which could be extracted in the absence of such unwanted energy.
- vii)* **“Operator”**: a person who is licensed to provide a communication or broadcasting services under the Uganda Communications Act 2013.
- viii)* **“Person”**: includes any individual, company, association, or body of persons corporate or unincorporated.
- ix)* **“Radio communications apparatus” or “Radio communications station”** means any apparatus or station, as the case may be, for transmitting or receiving of radio communication other than a domestic radio set and where—
 - a.* that radio communications apparatus or station cannot lawfully be used without a radio communications licence or without an exemption under section 23 of the Uganda Communications Act of 2013;
 - b.* radio communication in the form of messages, audio or visual images is received or transmitted by that apparatus or station;

- c. an apparatus is electrically coupled with another apparatus or station for the purpose of enabling any person to receive or transmit messages, sound or visual images;
- x) **“Spectrum Leasing”** is where a spectrum assignee leases to a third party their right to use particular spectrum either for a limited period and/or for a portion of the spectrum.

5.0 APPLICABLE LEGISLATION

The implementation of this Guidelines shall be subject to the provisions of:

- a) Section 5(1)(i) of the Uganda Communications Act, 2013 which mandates the Commission to:
 - i) allocate, license, standardize and manage the use of the radio spectrum resources in a manner that ensures widest variety of programming and optimal utilization of spectrum resources.
 - ii) set national standards and ensure compliance with national and international standards and obligations laid down by international communication agreements and treaties to which Uganda is a party
 - iii) safeguard the interests of consumers and operators as regards the quality of communications services and equipment.
 - iv) improve communications services generally and to ensure equitable distribution of services throughout the country;
- b) under section 25(1) of the Uganda Communications Act, 2013,
 - (1) notwithstanding any other law, the Commission is exclusively responsible for—
 - (a) planning, monitoring, managing and allocating the use of the radio spectrum;
 - (b) establishing technical requirements and standards in respect of—
 - i. radio communications apparatus;
 - ii. interference-causing apparatus or any class of that apparatus;
 - (c) negotiating with the International Telecommunications Union or its affiliated bodies on matters relating to radio spectrum.
 - (2) For the purposes of section 5(1)(c), the Commission may, through spectrum re-farming, withdraw spectrum where the Commission is satisfied that the spectrum is not utilized optimally or efficiently.

- c) Section 41 on Suspension and revocation of licence, which provides the grounds and procedure for suspension and revocation as follow
- (1) The Commission may suspend or revoke a licence issued under this Act, on the following grounds—
 - a) serious and repeated breach of the licence conditions;
 - b) any fraud or intentional misrepresentation by the operator applying for the licence;
 - c) where the operator is engaged in or is supporting activities amounting to a treasonable offence under the Penal Code Act; or
 - d) where the operator has ceased to be an eligible person.
 - (2) After consideration of any representations by the operator, the Commission may—
 - a) prescribe time during which the operator is required to remedy the offending act or conduct;
 - b) require the operator to pay a fine not exceeding the equivalent of ten percent of its gross annual revenue.
 - (3) The Commission shall give the operator written notice of not less than sixty days specifying the reasons for the intended suspension or revocation, during which the operator may make representations to the Commission.
 - (4) Where the Commission is of the opinion that the measures under subsection (3) are not sufficient, the Commission may—
 - a) suspend the licence for a specified period; or
 - b) revoke the licence.
- d) **Under section 42 in respect of Transfer of licence**
- (1) A licence issued by the Commission shall not be transferred without the written consent of the Commission.
 - (2) An operator may apply to the Commission in the prescribed manner for consent to transfer a licence.
 - (3) An application under subsection (2) shall be accompanied by an application for grant of a licence by the person to whom the operator intends to transfer the licence.
 - (4) The Commission shall in considering an application for the transfer of a licence have regard to the same terms and conditions as those that apply to the grant of a new licence, but the Commission may in its discretion refuse to grant the application under this section.
 - (5) For the purposes of this section—
 - a) “transfer of licence” includes the acquisition of control of the licence holder;
 - b) “control” as used with respect to any person shall mean the possession, directly or indirectly, of the power to direct or cause the direction of the management of that person, whether

through the ownership of shares, voting, securities, partnership or other ownership interests, agreement or otherwise.

- (6) The Commission shall grant its consent to transfer a licence within forty five days from the date of application.
- (7) Where consent is not granted under this section, the Commission shall within fourteen days provide a written explanation, giving reasons for the refusal.
- e) The Regulations made under the Uganda Communications Act 2013 in respect of Telecommunications & Radio communications Type Approval and any other amendments to the same.
- f) The Regulations made under the Uganda Communications Act 2013 in respect of Radio spectrum and any other amendments to the same.
- g) National Broadband Policy of 2018 and Policies issued by the Minister of Information Communications Technology in accordance with Section 7 of the Act.

6.0 SCOPE

This Guidelines highlights the approaches to be used in assigning spectrum to telecommunications services and proposed terms and conditions for radio spectrum authorisation to telecommunication operators.

7.0 APPLICABILITY AND EXCEPTIONS

This Guidelines is applicable in all cases where spectrum is assigned and/or authorized with associated terms and conditions.

The Guidelines shall however, not apply to all spectrum categorised as license exempt, and spectrum in use by entities specified under section 23 (b) of the Act.

8.0 SPECTRUM ASSIGNMENT PROVISIONS

8.1 Radio spectrum assignment system

The following assignment models shall be used in assigning radio frequency:

- a) Market-based approach: this is the use of market forces to determine the successful applicants and/or subsequent distribution of spectrum. This includes auctions and secondary arrangements such as spectrum leasing (subject to prior approval

by the Commission). The design and implementation of the auctions shall seek to ensure maximum socio-economic welfare is derived.

- b) The administrative approach: The Commission determines the successful applicants based on the applicant meeting the specified application requirements. This includes the beauty contest where several applicants outline their proposed use of the spectrum and a comparative review is done by the Commission as well as the first-come-first served method;
- c) The spectrum commons approach: This is where any person can use the respective frequency band without having to obtain prior permission from the Commission as long as his/her operations adhere to the rules specified for the effective use of the frequencies and the conformity of equipment used to the respective technical requirements. Protection against interference is typically not provided to such a radio user having a class authorisation (under licence exempt arrangements or using unlicensed spectrum). The spectrum bands that are currently licence exempt are the 2.4GHz and 5.8GHz bands.

The determination of the approach to be used in assigning any spectrum shall include consideration of the following;

- i) The allocation, allotment and/or industry purpose/use of the respective spectrum
- ii) Does the use of the respective spectrum necessitate exclusive use or can it be shared?
- iii) Status of the use of the respective band.
- iv) The amount of spectrum available versus the demand.
- v) The market structure.

8.2 Designation of service areas

(1) Radio spectrum shall be assigned based on the following geographical designations:

- i) National authorisation covering the whole of Uganda with obligations for this benefit.
- ii) Regional basis authorisation using the four (4) population census mapping regions (Northern, Eastern, Western and Central) as shown in the map below.

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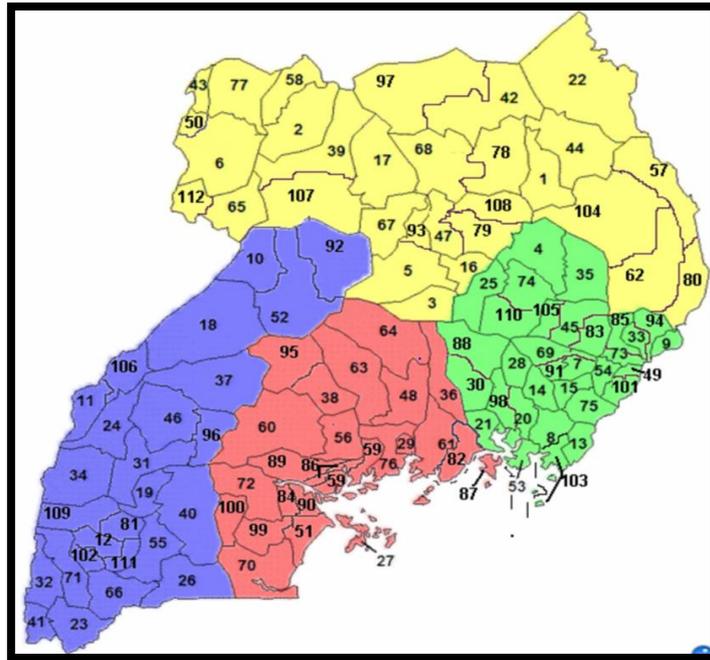


Fig 1: The Four Designated Spectrum Geographical/Service Areas

Table 1: Districts Under the Four Designated Spectrum Service Areas

Central Region (red)		Eastern Region (green)		Northern Region (yellow)		Western Region (blue)	
Map	District	Map	District	Map	District	Map	District
82	Buikwe	4	Amuria	1	Abim	81	Buhweju
84	Bukomansimbi	7	Budaka	2	Adjumani	10	Buliisa
86	Butambala	49	Bududa	78	Agago	11	Bundibugyo
87	Buvuma	8	Bugiri	79	Alebtong	12	Bushenyi
89	Gomba	83	Bukedea	3	Amolatar	18	Hoima
27	Kalangala	9	Bukwa	80	Amudat	19	Ibanda
90	Kalungu	85	Bulambuli	39	Amuru	26	Isingiro
29	Kampala	13	Busia	5	Apac	23	Kabale
36	Kayunga	15	Butaleja	6	Arua	24	Kabarole
38	Kiboga	88	Buyende	16	Dokolo	31	Kamwenge
95	Kyankwanzi	20	Iganga	17	Gulu	32	Kanungu
48	Luweero	21	Jinja	22	Kaabong	34	Kasese
99	Lwengo	25	Kaberamaido	42	Kitgum	37	Kibaale
100	Lyantonde	28	Kaliro	43	Koboko	40	Kiruhura
51	Masaka	30	Kamuli	93	Kole	92	Kiryandongo
56	Mityana	33	Kapchorwa	44	Kotido	41	Kisoro
59	Mpigi	35	Katakwi	97	Lamwo	96	Kyegegwa
60	Mubende	91	Kibuku	47	Lira	46	Kyenjojo
61	Mukono	45	Kumi	50	Maracha	52	Masindi
63	Nakaseke	94	Kween	57	Moroto	55	Mbarara
64	Nakasongola	98	Luuka	58	Moyo	102	Mitooma
70	Rakai	101	Manafwa	62	Nakapiripirit	106	Ntoroko
72	Ssembabule	53	Mayuge	104	Napak	66	Ntungamo
76	Wakiso	54	Mbale	65	Nebbi	109	Rubirizi
		103	Namayingo	107	Nwoya	71	Rukungiri
		14	Namutumba	108	Otuke	111	Sheema
		105	Ngora	67	Oyam		
		69	Pallisa	68	Pader		
		110	Serere	77	Yumbe		
		73	Sironko	112	Zombo		
		74	Soroti				
		75	Tororo				

- iii)* Smaller service areas may be considered for authorisation of fixed wireless services.
- (2) An operator shall be free to deploy radio equipment anywhere within the authorised geographical/service area provided the operator meets the applicable assignment conditions and only use/re-use those frequencies specifically identified in the spectrum authorisation.
- (3) The Commission reserves the right to permit use of the same spectrum based on smaller population clustering within a designated service area to address universal service and improve utilisation of the spectrum.

8.3 Considerations in evaluating of applications for radio frequency

- (1) The assignment of spectrum shall seek to ensure that no one person acquires the entire available spectrum in a given area, unless technologically required.
- (2) The following considerations shall be made in evaluating a spectrum authorisation application:
 - i.* the current spectrum holdings of the applicant in the geographical/service area;
 - ii.* the overall distribution of spectrum in the respective frequency band in the geographical/service area;
 - iii.* the current and/or prospective services to be provided and the technologies available using the respective frequency band;
 - iv.* the availability of alternative spectrum that has similar properties to the respective frequency band;
 - v.* the relative utility (e.g. above and below 1 GHz) and substitutability of the respective frequency and other frequency bands in the geographical/service area;
 - vi.* the degree to which the applicant has deployed networks and the capacity of those networks;
 - vii.* the characteristics of the region, including urban/rural status, population levels and density, or other factors that impact spectrum capacity or congestion; and
 - viii.* any other factors relevant to the national policy objectives.
- (3) The Commission shall make public decisions made in consideration of an application for spectrum.

8.4 Terms and conditions for spectrum authorisation

The radio frequency authorization granted for use of the respective radio frequency shall comprise of terms and conditions in respect of the following and detailed out in **Annex 1**.

- i.* Clarification of duration of assignment.
- ii.* Promote optimum spectrum usage and universality of services.
- iii.* Improve adherence to technical requirements for use of the spectrum
- iv.* Improve compliance to terms and conditions of authorisation.
- v.* Minimise interference and improve interference resolution.
- vi.* Provide for amendment or variation of the spectrum assignment by the Commission.
- vii.* Ensure timely payment of spectrum fees.
- viii.* Protect the public from excessive electromagnetic exposure.
- ix.* Ensure equipment type approval.
- x.* Curb cross border interference and network spill over.
- xi.* Promote the fulfilment of roll-out obligations associated with the respective spectrum assignment.
- xii.* Provide for inspection of radio installation by the Commission
- xiii.* Outline the circumstances that may lead to withdrawal of the spectrum assignment
- xiv.* Improve awareness of obligations by staff and secondary users.
- xv.* Improve aviation safety.

9.0 STAKEHOLDER RESPONSIBILITIES

The Commission shall actively collaborate with all stakeholders for purposes of implementing this Guidelines.

The roles and responsibilities of the different stakeholders in respect of implementing this Guidelines are outlined below;

9.1 The Commission shall be responsible for;

- i)* Spectrum planning and inspections of radio-communication operations
- ii)* Review and update of the Guidelines.
- iii)* Implementation and enforcement of the Guidelines.

9.2 Spectrum Assignee

- i)* Application for spectrum authorisation prior to the use of any spectrum.
- ii)* Conformity with the terms and conditions of the spectrum authorisation.
- iii)* Ensure that installation(s) or modification(s) of the operator's radio system(s) do not cause interference
- iv)* Coordinate with co-channel and adjacent channel operators authorized within the same or adjacent geographic/service areas prior to operating a new or modified radio system.

10.0 ENFORCEMENT AND REMEDIAL ACTIONS

- a) Any Operator who fails to comply with the requirements and obligations set forth in this Guidelines, shall be deemed guilty of contravening the Act and be subject to such remedial action or enforcement by the licensor, including but not limited to the provisions in respect of withdrawal of spectrum and suspension and / or revocation of the spectrum license.
- b) Remedial action by the Commission in respect of such contravention may include:
 - i) issuance of a written warning with a deadline for compliance by the respective Operator;
 - ii) imposing fine in accordance with the Act;
 - iii) take any other measure the Commission deems as reasonable in the circumstances.

11.0 INFORMATION MANAGEMENT

The Commission shall maintain and update a database of spectrum assignments and assignees.

.....

Dr. Eng. Dorothy Okello
CHAIRPERSON

.....

Eng. Godfrey Mutabazi
EXECUTIVE DIRECTOR

Date

ANNEX-1

THE REVIEWED SPECTRUM AUTHORIZATION TERMS AND CONDITIONS

THE REPUBLIC OF UGANDA

THE SPECTRUM LICENCE AGREEMENT

(Under Ss. 5, 21, 22, 23, 24, 25 and 33 of the Uganda Communications Act,
2013)

LICENCE NO.: **UCC/PIP/.....**

This Licence Agreement is made on the.....day of.....2019 and is entered into by and between the **UGANDA COMMUNICATIONS COMMISSION**, a body corporate established under the provisions of the Uganda Communications Act 2013, P. O. BOX 7376 Kampala (hereinafter called the **LICENSOR** which expression shall unless repugnant to the context, include its successors in business, administrators, liquidators and assignees or legal representatives) of the ONE PART.

AND

M/sa limited liability company, duly incorporated/registered under the Companies Act,.....of P. O. BOXKampala and having its registered office at(hereinafter called the **LICENSEE**, which expression shall unless repugnant to the context, include its successors in business, administrators, liquidators and assignees or legal representatives) of the **OTHER PART**

WITNESSETH THAT:

1.0 Definitions

In this Agreement, all technical terms will have the same meaning as that assigned to them in **Schedule A**.

2.0 Scope of License

This Licensor grants to the Licensee... the right to use the following frequency contained in **Schedule B** (the **ASSIGNED RADIO FREQUENCY SPECTRUM**), to install and operate radio stations in the assigned frequency for the purpose of establishment and operation of radio communication apparatus and equipment under [*the public infrastructure provider/national telecommunications operator*] licence subject to complying with:

- a) the relevant provisions of the Uganda Communications Act of 2013 and of the respective regulations
- b) the terms and conditions outlined herein

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The licensee shall not use the Assigned Radio Frequency Spectrum unless the licensee holds an operating Licence issued by the Licensor pursuant to section 22 of the Uganda Communications Act and such licence is current, valid and authorises the provision of the radio-communications services for which the Assigned Frequencies may lawfully be used.

3.0 Grant of the Licence

- 3.1 In consideration of the commitment to observe the mutual covenants contained herein as well as payment of the spectrum fees payable in accordance with **Schedule C** and due performance of the terms and conditions on the part of the Licensee, the Licensor hereby grants on a non-exclusive basis, a licence for spectrum assignment within Uganda as detailed in **Schedule B** and the Licensee is obliged to provide continuous services throughout the licence term and any renewal term, in any case not exceeding 10 or 15 years whichever is applicable. Such duration shall not exceed the duration of the parent license (PIP; NTO)
- 3.2 The Licensee shall not cease operations before notifying the Licensor at in accordance with the notice period in the public infrastructure provider license or the national telecommunications operator license. The Licensee shall ensure that the modalities of continuity of services and disengagement have been extensively discussed and agreed upon with the Licensor before cessation.
- 3.3 Unless otherwise stated, all the schedules annexed hereto will form part and parcel of this Agreement, PROVIDED ALWAYS that whenever there shall be any conflict between the provisions in the main body of the agreement and the schedules, the terms set out in the main body shall prevail over what is contained in the schedules.

4.0 Assignment

- 4.1 Frequency assignment shall be valid from the date of issue and shall continue in parallel to and not exceed the duration of the public infrastructure provider license; or the *national telecom licence whichever is applicable*; subject to full compliance with the terms and conditions of this licence.
- 4.2 This authorisation permits the operation of radio-communication apparatus and equipment by the assignee **within the geographical area specified in Schedule B**
- 4.3 The use of the assigned spectrum in the geographical location set out in 4.2 above shall be in accordance with the technical **parameters in Schedule B** [*These may include, but not limited to, assigned power, antennae height, modulation, emission type, equipment type, specified*

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locations, mode of operation, status and other parameters that shall be specified from time to time].

- 4.4 The Licensee shall pay fees for the use of the assigned frequency annually in advance as prescribed from time to time by the Commission.
- 4.5 Within sixty (60) days of signing the Licence Agreement, the Licensee shall submit to the Licensor an Implementation Plan for the realisation of the Licensee's plans as set out in the Licensee's Technical Plan attached hereto and marked as **Schedule D**. After receipt of the Technical Implementation Plan, the Licensor shall, within thirty (30) days, indicate to the Licensee the corresponding milestones or points to be achieved. (advise whether this is necessary)
- 4.6 The Licensee shall comply with:
- i) All laws, applicable regulations, and relevant international and national standards
 - ii) Applicable guidelines issued by the Commission
 - iii) Any decisions, determination and/or directives issued by the Commission, however so described.
 - iv) All terms and conditions of this spectrum authorisation.
 - v) The terms and conditions of the currently in the [*national telecommunications operator/the public infrastructure provider*] license with which this spectrum licence is associated;

5.0 Interference Management

- 5.1 The assignee shall ensure that its use of the assigned frequency does not cause interference, degrade the quality of, or disrupt the lawful use or operation of any other communication networks or services in the same geographical area and/or radio frequency band, and in other geographical areas and/or radio frequency bands.
- 5.2 The Licensee shall cooperate and coordinate with other radio spectrum assignees to avoid and resolve any occurrence of interference including but not limited to:
- a) coordinating with other co-channel and adjacent channel spectrum users authorized within the same or adjacent geographic/service areas prior to operating a new or modified radio system.
 - b) investigating the possible causes of the interference;
 - c) taking all steps reasonably necessary to resolve disputes relating to interference;
 - d) taking steps (or requiring persons authorised to operate devices under this authorisation to take steps) reasonably likely to reduce interference to acceptable levels; and
 - e) negotiating with other persons to reduce interference to acceptable levels.

- 5.3 Where interference problems have not been resolved amicably between the assignee and the other concerned party or parties, either the assignee or the other party or parties may refer the matter to the Commission.

6.0 Variation of spectrum licence

- 6.1 The Commission may add to or amend or vary any of the terms and conditions of this authorization or the assigned frequency to ensure fulfilment of the objectives of the Act or compliance with any law or to ensure efficient frequency usage or to address universal service objectives, including such additions or amendments necessary as a result of any international commitments entered into by the Commission or by the Government of the Republic of Uganda.
- 6.2 The Commission shall not be held responsible in any manner for any damage suffered or expenses incurred by the assignee as a result of any amendments of the terms and conditions of this authorization.

7.0 Compliance with Radiation Emission Standards

The assignee shall comply with the applicable radiation emission standards prescribed by the International Commission for Non-Ionising Radiation Protection (ICNIRP) and any other appropriate standards as may be specified by law.

8.0 Type Approval of Equipment

- 8.1 The assignee shall ensure that its communications apparatus or equipment is type approved by the Commission before installation and commencing operations. This type approval requirement shall also apply to such other communications equipment or apparatus acquired after commencement of operations.

9.0 Coverage Obligations

- 9.1 The assignee shall ensure that the radio emission from its apparatus and equipment does not go beyond the territory of Uganda without prior approval of the administration of the respective country, especially where the authorised area of operation of the assignee is adjacent to a neighbouring country.
- 9.2 The assignee shall fulfil the coverage obligation as shall be specified in schedule D. Documentation to demonstrate compliance with the coverage obligation shall consist of both coverage calculations/simulations and specific measurements confirming such calculations/simulations. Failure to meet targets set out in the roll out

obligations shall be considered a non-utilization of the assigned frequency and breach of the terms and conditions of this authorization.

- 9.3 The Commission shall have the right to carry out inspections and measurements on any radio station, equipment/apparatus or operations by the assignee for the purpose of ensuring that the assignee is abiding with the terms and conditions of this authorization or with any legal requirements.

10.0 General Conditions

- 10.1 Without prejudice to any other measures that may be taken by the Commission for non-compliance with the terms and conditions of this authorization, the Commission may withdraw at any time this authorization under the following circumstances:

- a) Assignee enters into liquidation or is otherwise declared insolvent or bankrupt
- b) The licence is revoked or cancelled by the Commission
- c) Assignee has repeatedly breached the terms and conditions of the authorization or the provisions of the radio regulations
- d) Upon underutilisation or non-utilisation of the assigned frequency as determined by the Commission including failure by the assignee to use the assigned frequency within 1 year of the grant of this authorization
- e) If for six (6) consecutive months, the assignee ceases to provide the services for which it was issued the Licence
- f) If the assignee, without due authorisation from the Commission, uses the assigned frequency for operations or the provision of any service other than that for which it was assigned
- g) Upon the cessation of the need for use of the frequency spectrum
- h) For non-payment or late payment of the annual fees for usage of the assigned frequency

- 10.2 The assignee shall ensure that all persons using its radio-communication equipment are made aware of the relevant terms of this authorisation and comply with such terms.

- 10.3 The assignee shall ensure that all installations exceeding twenty-five (25) meters above ground level are appropriately marked with tower lights and tower paint to facilitate aviation safety.

11.0 Record Keeping and Reporting Requirements

- 11.1 The Licensee shall submit to the Licensor, reports relating to the operation of its network in a format contained in **Schedule E**. This schedule shall be revised from time to time by the Licensor.

- 11.2 The Licensee shall establish and maintain adequate records, as may from time to time be specified by the Licensor, on time, to permit the effective monitoring and enforcement of the terms of this Licence.
- 11.3 The Licensor shall have the right to request the Licensee to submit periodic reports, statistics and other data as well as request additional information with a view to supervise and enforce effectively the terms of this Licence.

12.0 Transfer of the Licence

- 12.1 The Licensee shall not without the prior and express written consent of the Licensor assign, delegate, transfer or encumber in any manner, the rights, interests, or obligations under this licensee without the prior express and written consent of the Licensor. The Licensor shall not unreasonably withhold or delay to provide consent sought under this clause.
- 12.2 Where the nature of transaction sought to be entered into by the licensee materially results into a change in control of the licensee, the Licensor shall only consent to such change after;
- (a) The licensor is satisfied that the licensee and the person to whom the license is sought to be transferred have satisfied the obligations under Section 42(3) with regards to the transferee lodging an application for issuance of a license to provide the services covered by the subject license.
 - (b) Payment of the transfer fees prescribed as prescribed by the Licensor.
 - (c) Satisfying the licensor that the transfer shall not result into a breach of the provisions of the Act on fair competition.

13.0 Licence Suspension and Revocation

- 13.1 The Licensor may in accordance with the provisions of S.41 of the Act, suspend or revoke the licence by giving a written notice of not less than sixty days (60) to the Licensee within which period the licensee may make representations against the impending suspension or revocation.

14.0 Notices

- 14.1 All notices required under this Licence Agreement shall be in writing and shall be delivered by courier or registered mail to the respective parties at the aforementioned addresses.

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Uganda**

IN WITNESS WHEREOF the Parties hereto do append their hands the day of
the Month of the Year first above mentioned.

SIGNED for and on behalf of the:

EXECUTIVE DIRECTOR (LICENSOR)
Uganda Communications Commission

In the presence of
(Witness)

SIGNED for and on behalf of the LICENSEE:

DIRECTOR (Authourised Signatory)

(Witness)

Schedule 1 Definitions

In this License, unless the context otherwise requires: -

- i)* **“Assignment”**: the grant of authorization by the Commission to a person to use a designated frequency or channel under specified conditions.

- ii)* **“Act”**: the Uganda Communications Act 2013 as amended from time to time.

- iii)* **“Auction”** is the use of a bidding approach to assign usage right for specific frequency channel or frequencies in a certain area, at certain times, for a specific period.

- iv)* **“Commission”**: the Uganda Communications Commission established under section 4 of the Uganda Communications Act 2013.

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- vii)* **“Operator”**: a person who is licensed to provide a communication or broadcasting services under the Uganda Communications Act 2013.

- viii)* **“Person”**: includes any individual, company, association, or body of persons corporate or unincorporated.

- ix)* **“Radio communications apparatus” or “Radio communications station”** means any apparatus or station, as the case may be, for transmitting or receiving of radio communication other than a domestic radio set and where—
 - a.* that radio communications apparatus or station cannot lawfully be used without a radio communications licence or without an exemption under section 23 of the Uganda Communications Act of 2013;

Schedule B Assigned Spectrum

Schedule C Fees for assigned Spectrum

Schedule D. Technical Plan

Schedule E Reporting Format