

STATUTORY INSTRUMENTS SUPPLEMENT

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STATUTORY INSTRUMENTS

2020 No. 66.

THE UGANDA COMMUNICATIONS (FEES AND FINES)
(AMENDMENT) REGULATIONS, 2020.

ARRANGEMENT OF REGULATIONS

Regulation

1. Title.
2. Amendment of S.I. No. 94 of 2019.

2020 No. 66.

**The Uganda Communications (Fees and Fines) (Amendment)
Regulations, 2020**

*(Under sections 6 (1), 41 (2) (b), 67 (1) (b), (c), (d), 67 (2), 68 and 93
(2) of the Uganda Communications Act, 2013, Act 1 of 2013)*

IN EXERCISE of the powers conferred upon the Minister by section 93 of the Uganda Communications Act, 2013 and in consultation with the Uganda Communications Commission, these Regulations are made this 6th day of May, 2020.

PART I—PRELIMINARY

1. Title.

These Regulations may be cited as the Uganda Communications (Fees and Fines) (Amendment) Regulations, 2020.

2. Amendment of S.I. No. 94 of 2019.

The Uganda Communications (Fees and Fines) Regulations, 2019 are amended by substituting for Schedule 1 the following—

“SCHEDULE 1

PART I—LICENCE FEES

Regulations 5 (2)

(All fees are exclusive of VAT)

(a) TWO –WAY RADIO COMMUNICATION SERVICES

		FEES
1.	HF Fixed Station	Shs. 110,000
2.	HF Mobile Station	Shs. 110,000
3.	VHF & UHF Fixed station	Shs. 75,000
4.	VHF & UHF Mobile station	Shs. 75,000
5.	VHF Hand-held sets	Shs. 75,000
6.	Application processing fees	Shs. 50,000

(b) RADIO STATIONS: BROADCASTING FEES

	CATEGORY	FEES
1.	Application processing fees (One off)	Shs.4,368,000/= (Community Radio Station) Shs. 6,580,000 (Commercial Radio Station)
2.	Initial entry fee/ change in ownership (One off fee)	Shs.23,100,000 (National Commercial Radio – Tier 1) Regional Commercial Station Shs.17,500,000- Tier 2; Shs.14,000,000 - Tier 3; Shs.10,500,000 - Tier 4 Community Radio Station (Shs.200,000)
3.	Commercial Radio Licence	Shs.7,000,000/- Tier1; Shs.5,600,000- Tier 2; Shs.4,200,000 - Tier 3; Shs.3,500,000 - Tier 4

4	Community Radio Licence	Shs.1,400,000
5	Spectrum fees (Radio)	ERP watts <1120 = Shs.500,000 ERP = 1120 &<ERP <2800 = Shs.750,000 iii) ERP> 2800 &<ERP 5600= Shs.1,000,000 iv) ERP> 5600 Shs 1,000,000 for every 2800
6	Studio Transmitter Link	Shs.700,000
7	Online data communications - Radio or Publishing	Shs. 100,000 per year (providers of such services to be granted authorisations as opposed to licences)
8	Transfer of licence	Commercial Radio: 25,000,000 Community Radio: NIL

TIER CLASSIFICATION

Tier 1- National Radio, Tier 2 - Kampala Region; Tier - 3 Jinja, Mbale, Soroti, Lira, Gulu, Arua, Fort Portal, Masaka, Mbarara, Tier 4 - Rest of the country.

Factors A: 1 for Tier 1, 0.8 for Tier 2, 0.6 for Tier 3, 0.5 for Tier 4 to be applied on spectrum fees.

(c) CONTENT SERVICE PROVIDER/BROADCASTING SERVICES (TELEVISION STATIONS)

	CATEGORY	FEES
1	Application processing fees	USD 2,500
2	Content Service Provider: Free To Air National Licence – Single Stream)	Initial entry USD 20,300 Annual fees USD 17,600 per stream.
3	Content Service Provider: (Free To Air National Licence – Multiple Streams)	Initial entry USD 40,500 Annual fees USD 67,600 per licensee

4	Content Service Provider: (Free To Air Regional – Single Stream)	Initial entry USD 5400 Annual fees USD 2,700 per licensee
5	Content Service Provider: (Free To Air Regional – Multiple Stream)	Initial entry USD 5,400 Annual fees USD 5400 per licensee
6	Content Service Provider: Free To Air -International Single Stream	Initial entry USD 27,000 Annual fees USD 20,300 per stream
7	Content Service Provider: (Pay TV –National Single Stream)	Initial entry USD 27,000 Annual fees USD 20,300
8	Content Service Provider: (Pay TV –Regional -Single Stream)	Initial entry USD 8,100 Annual fees USD 4,100
9	Content Service Provider: (PayTV –International -Single Stream)	Initial entry USD 32,400 Annual fees USD 27,000
10	Content Service Provider: Hybrid TV (Single Channel)	Initial entry USD 21,600 Annual fees USD 18,900
11	Subscriber Management Services	Initial entry USD 13,500 Annual fees USD 5,400
12	Public Broadcaster Fee – UBC	USD 20,000 for all streams per Annum
13	Content Service Provider: Hybrid TV (Single Channel)	Initial entry USD21,600 Annual fees USD18,900
14	Private Television Stations: (Spectrum charges)	ERP watts /12db gain/ channel: ERP 3865 =USD 1,350; ERP 3865-6440w = USD.1,800; ERP6440- 12885w= USD 2,200 ERP 12885-19330w = USD 2,700; above ERP 19330 USD 270 for every 1288 watts above 19330 watts per transmitter.

15	Content Service Provider – Academic/ Research (For Six Months)	USD1350
16	Content Service Provider (Online Broadcasting)	USD 8100 per annum
17	Broadcasting Public Service Provider (Pay TV: National - Multiple Streams)	(a) Initial entry Fee USD 67,600. To be paid only by new entrants. (b) Annual licence fees of USD 25,000 or 0.65% of the operator's Annual Gross Revenue, whichever is higher. The Annual Gross Revenue shall be determined basing on the Licensee's Audited Books of Account for each year of operation.
18	Regional Broadcasting Public Service Provider (Pay TV: Regional Multiple Streams)	USD 2500 or 0.65% of the of the operator's Gross Annual Revenue, whichever is higher per region.
19	Licence transfer fees	UGX 25,000,000 for every licence transfer. The fee shall be payable before approval of licence transfer.
20	Landing Rights licence	Performance Bond USD 250,000.

21	Logical Channel Numbers (LCN)	Premium Logical Channel Number Shs. 3,000,000 Ordinary Logical Channel Number Shs.600,000 Ordinary Logical Channel Number (Content aggregators; Shs.4,500,000 for 1st 10 channels and Shs. 300,000 for every extra channel Premium Logical Channel Number (Content aggregators; Shs.9,000,000 for 1st 10 channels; Shs.600,000 for every extra channel
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(d) RADIO TRANSMISSION LINKS (MICROWAVE LINKS)

The annual spectrum fee payable is based on the following formula:
 Frequency Fees (FF) = $U_p \times K_1 \times BW \times N_f \times F_r$

Where FF = Frequency Fees

U_p = USD 120 per transmit frequency per site

K_1 is the Frequency band factor, where:

$$K_1 = 0.7 \text{ for } f \leq 8\text{GHz}$$

$$K_1 = 0.6 \text{ for } 8\text{GHz} < f \leq 15\text{GHz}$$

$$K_1 = 0.5 \text{ for } 15\text{GHz} < f \leq 23\text{GHz}$$

$$K_1 = 0.4 \text{ for } 23\text{GHz} < f \leq 38\text{GHz}$$

$$K_1 = 0.3 \text{ for } f > 38\text{GHz}$$

N_f = Number of same transmit frequencies in the network

F_r is the Frequency reuse factor, where:

$F_r = 1$ for first 10 frequencies reuse

Fr = 0.3 for next 10 frequencies reuse

Fr = 0.1 for frequencies reuse ≥ 20 times

(e) ACCESS BANDS

	Band Category	Fees (per Mhz paired) Fees are in United States Dollars and may be paid in prevailing Uganda Shilling equivalent.
1	1.7GHZ	2,700
2	3.3GHZ	4,100
3	3.5GHZ	4,100
4	2.3GHZ	4,100
5	2.6GHZ	5,400
6	800 Mhz	24,300 for 1st 5 Mhz paired and 40,500 per extra Mhz above 5 mhz paired
7	900 Mhz	40,500 for first 5Mhz and 121,600 per extra Mhz above 5Mhz
8	1800Mhz	20,300 for first 5Mhz and 40,500 per extra Mhz above 5Mhz
9	2.1Ghz	27,000 for first 5Mhz and 81,100 per extra Mhz above 5Mhz
10	450 Mhz	5,400
11	GSM Jamming services	135 per device

(f) LICENCE FEES

		Fees per annum (in USD unless stated otherwise)
(i)	TELECOMMUNICATIONS (A)	
1	Application processing fees	2,500
2	Public Infrastructure Provider (PIP) initial entry fee	100,000 (One off)
3	Customer premises block wiring and repair workshop application fee	85
4	Customer premises block wiring and repair workshop	500
5	Satellite phone users' licence	500

(g) VALUE ADDED SERVICES

1	Application Fees	USD 100
2	License fees digital financial services	USD 5000 per annum
3	License Fees Digital Audio-Visial Content	USD 2000 per annum

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	Licence Category	Minimum Licence Value/ Initial Licence Value (USD \$)	License Value Computation (Renewal/ migration of existing licensees)	Duration of Licence	License Payment Terms	Geographical Coverage of Licence	Spectrum and Numbering Resource Allocation	Public Listing Obligation
1	National Telecom Operator (NTO)	USD 21,300,000	1.84% of Prior Year total audited Gross Annual Revenue multiplied by licence payment terms / minimum licence value - whichever is higher	20 years New /10 years Extension	Prepayment - 10 years	100% geographical cover	Sufficient numbering and spectrum resources to be allocated to enable coverage obligation and as per approved roll out plan.	20% within 2 years of effective date of licence
2	National Operator (Special Licence Category)	N/A	Fixed Value - USD 100M	12 years	Prepayment - 12 years	100% geographical cover	Sufficient numbering and spectrum resources to be allocated to enable coverage obligation and as per approved roll-out plan	20% within 2 years from effective date of licence

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3	National Public Service Provider (NPSP)	USD 86,030	0.89% of Prior Year Total Audited Gross Revenue multiplied by Licence Payment Terms / Minimum Licence Value - whichever is higher	5 years	Prepayment – Annually	100% geographical cover	N/A	N/A
4	Regional Public Service Provider (RPSPK) - Kampala zone only	USD 43,015	0.89% of Prior Year Total Audited Gross Revenue multiplied by Licence Payment Terms / Minimum Licence Value - whichever is higher	5 years	Prepayment – Annually	Entire Licensed Zone	N/A	N/A
5	Regional Public Service Provider (RPSPR) - Excluding Kampala zone	USD 14,338	0.89% of Prior Year Total Audited Gross Revenue multiplied by Licence Payment Terms / Minimum Licence Value - whichever is higher	5 years	Prepayment - Annually per zone	Entire Licensed Zone	N/A	N/A

6	National Public Infrastructure Provider (NPIP).	USD 86,030	0.89% of Prior Year Total Audited Gross Revenue multiplied by Licence Payment Terms / Minimum Licence Value - whichever is higher	15 years	Prepayment – Annually	100% geographical cover	Sufficient numbering and spectrum resources to be allocated to enable coverage obligation and as per approved roll out plan	N/A
7	Regional Public Infrastructure Provider (RPIPK) - Kampala zone only	USD 43,015	0.89% of Prior Year Total Audited Gross Revenue multiplied by Licence Payment Terms / Minimum Licence Value - whichever is higher	15 years	Prepayment – Annually	Entire Licensed Zone	Sufficient numbering and spectrum resources to be allocated to enable coverage obligation and as per approved roll out plan	N/A
8	Regional Public Infrastructure Provider (RPIPR) - Excluding Kampala zone	USD 14,338	0.89% of Prior Year Total Audited Gross Revenue multiplied by Licence Payment Terms / Minimum Licence Value - whichever is higher	15 years	Prepayment - Annually per zone	Entire Licensed Zone	Sufficient numbering and spectrum resources to be allocated to enable coverage obligation and as per approved roll out plan	N/A

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9	Community Operator - Excluding Kampala zone (Service or Infrastructure) - Not exceeding half a designated zone	USD 3,000	Minimum Licence Value	5 years	Prepayment – Annually	Entire Licensed Zone	Sufficient numbering and spectrum resources to be allocated to enable coverage obligation and as per approved roll out plan	N/A
10	Licence Transfer Fees	Transfer of licence shall attract a transfer fee equivalent to 2.5% of the licensee's previous year's Gross Annual Revenue or USD 50,000, whichever is higher. The fees shall be payable by the transferor.						

Explanatory Notes

1. Geographical coverage means the geographical area where a licensed operator is authorized to operate.
2. An operator can only apply for a maximum of two (2) regional PSP OR two (2) Regional PIP licences.
3. Where the licensee holds two (2) licences in the same licence category, the licence fee applicable will be the total of the licence values of the 2 licences as indicated, which total will be the minimum licence value applicable or 0.89% of the licensee's annual gross revenue, whichever is higher.
4. Where two (2) licences are issued in different licensing categories but within the same region e.g. RPSPK and RPIPK, only one (1) licence fee is computed as the minimum value or 0.89% of total gross revenue, whichever is higher.
5. Where two (2) regional licences are issued in different licensing categories and within different regions e.g. RPSPK and RPIPR, the licence fee applicable will be the total of the licence values of the two (2) licences as indicated, which total will be the minimum licence value applicable or 0.89% of the licensee's annual gross revenue, whichever is higher.
6. A person shall not be permitted to apply for two (2) National Operator licences i.e. NPSP and NPIP.
7. Only NTO, NPIP and RPIP will be eligible for assignment of spectrum resources. Spectrum will be assigned within licensed zones only.
8. Transfer of ownership of licence will attract a transfer fee equivalent to 2.5% of the licensee's previous year's Gross Annual Revenue or USD 50,000, whichever is higher. The fees shall be payable by the transferor.
9. Where the operator has paid licence fees at the time of licence migration, the fees shall be pro-rated in respect of the duration

of the previous licence and the balance applied to the new licence.

10. For existing operators and renewals, the basis for fees computation shall be the gross annual revenues of the last year ended audited accounts.
11. All costs included in separate schedules pertaining to issuing of the operator licences are applicable as indicated.

		Fees per annum (in USD unless stated otherwise)
(iii) SALE OF TELECOMMUNICATIONS APPARATUS		
1	Application fees	1,000
2	National distributors of telecoms apparatus Annual Licence fee	5,000
3	Importers, wholesalers of telecoms apparatus Annual Licence fee	2,500
(iv) POSTAL AND COURIER SERVICES		
1	Application fees	190
2	Domestic (city to city)	400
3	Domestic (National) Courier Licence fee	1,000
4	Regional Courier Licence fee	2,500
5	International Courier Licence fee.	5,000
6	Reserved National Postal Operator	50,000 (Five year licence)
7	Transfer of Licence	1,500
(v) SERVICE AUTHORISATION		
1	Application processing fees	140
2	Private VSAT use Authorisation	2,500
3	VSAT fees per Node	100 per node per annum
4	Medical and Educational use VSAT	500

5	Satellite Earth Stations	10,000
(vi) SHORT CODES		Fees per annum (in USD unless stated otherwise)
1	Short code application fee	250
2	Initial entry fees: One time	1,000
3	Range 140-189	2,000
4	Range 6000 - 8999	2,000
5	Range 200 - 298	10,000
(vii) TYPE APPROVAL		
1	Application processing fee	20
2	VSAT type approval	20
3	VSAT Registration	100
4	Telecom Network Subsystem	150
5	Telecom base station subsystem	625
6	Media Gateway subsystem	1,500
7	Radio Equipment ≤ 10 watts	100
8	Radio Equipment 11-25watts	200
9	Radio Equipment 26-50 watts	300
10	Radio Equipment 51-100	500
11	Radio Equipment > 100 watts	1,000
12	PABX	500
13	Vehicle immobiliser	150
14	Tracking Device	50
15	STB's	150
16	Mobile TV, IDTV	200
17	TV and Radio Broadcast equipment	200
18	Community Broadcast equipment	150
(viii) LEVY ON GROSS ANNUAL REVENUE (GAR) OF ALL OPERATORS		2% of GAR
(ix) FILM INDUSTRY LICENCES		Fees per annum (in USD unless stated otherwise)

1	Community Distributor	27
2	National Distributor	270
3	Regional Distributor	80
4	Exhibition Licence	135
5	Exhibition Premises - Cinema	270
6	Exhibition Premises - small (<i>Bibanda</i>)	27
7	Permit to stage a play	27
8	Filming Permit (Local Film)	27 per film
9	Filming Permit (International Film)	1,000 per film
10	Filming Licence (National)	1,350
11	Public Performance Permit	27
12	Licence Commercial Still photography	27
13	Permit exhibit film, documentary of photography	27
14	Permit to advertise exhibition of a play or commercial still photography or a documentary	27

PART II—FINES

	Violation	Fine (in USD unless stated otherwise)
1.	Failure to disclose information to the Commission	260
2.	Failure to display required notice, certificates, authorisations at premises or on communication equipment or apparatus.	260
3.	Failure to maintain required records	260
4.	Failure to implement a lawful order issued by the Commission	260
5.	Denial of the regulator access to premises, apparatus, equipment, information	260
6.	Unauthorised discontinuance of services licenced by the Commission	The Commission may invoke s.41 and fine 10% of Gross Annual Revenue (GAR)
7.	Exceeding power limits	260 per day of offence or if repeated the Commission invoke s.41 and fine up to 10% of the GAR
9.	Failure to engage in required frequency coordination	260
10.	Failure to install band pass filters	260 per day from the day of commission of the offence or, if repeated, the Commission may invoke s.41 and fine up to 10% of the Operator's GAR

11.	Over modulation	260 per day from the day of commission of the offence or, if repeated, the Commission may invoke s.41 and fine up to 10% of the Operator's GAR
12.	Distribution of prohibited content	260 or invoke s.41 and fine
13.	Reconnection fees	540
14.	Exceeding antenna height	260 per day when the offending antenna remains high
15.	Relocation without authorisation	260 per day of operation from the date of relocation
16.	Air testing without authorisation.	260 or prosecution under s.26(3)
17.	Falsifying information	s.41 and fine up to 10% of the GAR
18.	Non-compliance with any of the provisions of the codes, guidelines or standards of the Commission.	260
19.	Failure to pay for services within the stipulated time	All Annual licence fees are subject to a monthly interest of 2% where the fee remains unpaid ninety (90) days after it becomes due.

JUDITH NALULE NABAKOoba,
*Minister of Information and Communications
Technology and National Guidance.*

