



**UGANDA  
COMMUNICATIONS  
COMMISSION**

**GUIDELINES ON ACCESS AND USE OF RADIO FREQUENCY  
SPECTRUM ON A TEMPORARY BASIS**

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**August/2023**

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## **1. Background**

- 1.1. This guide has been developed in accordance with the provisions of the Uganda Communications Act 2013, as amended, which vests authority in the Uganda Communications Commission (the Commission) to regulate the use of the radio frequency spectrum in Uganda. Particularly,
  - 1.1.1. Section 5(1)(c) of the Uganda Communications Act 2013 mandates the Commission to license, standardize and manage the use of the radio frequency spectrum resources in a manner that ensures the widest variety of programming and optimal utilization of resources;
  - 1.1.2. Section 5(1)(l) further mandates the Commission to promote research into the development and use of new communications techniques and technologies;
  - 1.1.3. Sub regulation 41 of Uganda Communications Commission (Licensing) Regulations 2019 further mandates the Commission to, under certain conditions, issue a temporary authorization for the operation of a station for a period not exceeding six (6) months where the need is shown for a stated purpose, or in the public interest.
- 1.2. The Commission is thus desirous to establish regulatory procedures and requirements by which any portion of radio frequency spectrum may, under specified conditions, be used under a temporary authorization.

## **2. Objective**

The objective of this guide is to facilitate the access and use of the radio frequency spectrum to support research; demonstration and technology adoption; facilitation of special events; and emergency communications.

## **3. Amendment**

This guide shall be reviewed periodically to align with any changes in the industry, the national Information And Communication Technology (ICT) policy and national development objectives, regulatory decisions, and emerging regional and international best practices.

## **4. Interpretations**

In this guide, unless defined hereunder, the terms used herein shall have the same interpretation as in the Act and the regulations issued thereunder.

- (a) *Assignee*: a person to whom temporary radio frequency spectrum authorization is granted.

- (b) *Act*: The Uganda Communications Act 2013 (as amended).
- (c) *Authorized radio frequency*: The frequency assigned to a station by the Commission and specified in the radio frequency spectrum authorization.
- (d) *Harmful interference*: Any radiation or induction that endangers the functioning of a radio navigation or safety service or obstructs or repeatedly interrupts a radio service operating under the Table of Frequency Allocations.
- (e) *Market trial*: A program designed to evaluate performance and/or customer response to a product and implemented on a non-commercial, limited availability basis before the full production, deployment, or commercial release of the respective product.
- (f) *Person*: Any individual, company, association, or body of persons corporate or unincorporated.
- (g) *Product development test*: A testing program designed to evaluate product performance, safety, quality, and compliance with standards from the prototype development up to the market stage.
- (h) *Radio Station*: One or more transmitters or receivers or a combination of transmitters and receivers, including the accessory equipment, necessary at one location for carrying on a radiocommunication service, or the radio astronomy service (*Article 1 of the ITU Radio Regulations*).

## **5. Legislation and Regulations**

The following legal and regulatory provisions shall be considered in the implementation of this guide;

- (1) The Uganda Communications Act 2013.
- (2) The Uganda Communications (Licensing) Regulations, 2019.
- (3) The Uganda Communications (Equipment Type-Approval) Regulations 2019.
- (4) The Framework on Type-Approval of Communications Equipment in Uganda 2022.

## 6. Scope

The guide presents;

- (1) Classification of temporary authorizations.
- (2) Applicability of temporary spectrum authorization.
- (3) Eligible person(s) for temporary authorization.
- (4) Respective application requirements & procedures.
- (5) Special terms and conditions associated with temporary authorization, and;
- (6) Applicable spectrum fees.

## 7. Applicability

7.1. This guide shall apply to;

- (1) Market tests and trials;
- (2) Technology/product research and/or experimentation;
- (3) National emergency communication needs;
- (4) Operation of radiocommunication systems for special events, and;
- (5) Product demonstration.

7.2. The guide shall not apply to radio frequency spectrum trials, tests, demonstrations, or any radio experiment conducted under electromagnetic shielding or in a confined electromagnetic environment such as the anechoic chambers or Faraday cage.

## 8. Regulatory Framework

### 8.1. General Provisions

The following provisions shall apply to all temporary radio frequency spectrum authorizations;

- 8.1.1. *Duration of the authorization:* The duration of a radio frequency spectrum temporary authorization shall depend on the associated radiocommunications service, the purpose, and any other

considerations as deemed necessary by the Commission. This, though, shall not exceed six (6) calendar months from the date of issuance.

8.1.2. A temporary radio spectrum authorization may be renewed only once for not more than three (3) months. Such renewal is subject to the following but is not guaranteed;

(1) submission of a formal application with justification for the extension. This shall be submitted to the Commission not less than one month before the expiry of the first authorization.

(2) submission of a report detailing among others;

(a) full compliance with the terms and conditions of the temporary spectrum authorization for which a renewal is being sought;

(b) any cases of harmful interference or complaints from other duly licensed/authorized operations in the period of the existing temporary authorisation and mitigation measures are undertaken.

8.1.3. The right to use the authorized radio frequency spectrum shall be granted for only temporary use and shall not confer any ownership or authorization to conduct an activity of a continuing nature.

8.1.4. Operation of a radio station(s) under the temporary authorization shall be permitted only on the condition that harmful interference is not caused to any station authorized by the Commission and operating under the Uganda National Table of Frequency Allocation. If harmful interference to an established radio service occurs, the respective radio station or radiocommunication operating under the temporary authorization shall immediately cease transmissions upon becoming aware of such harmful interference. Furthermore, this radio station/operation shall not resume transmissions until it has been established to the satisfaction of the Commission, that no further harmful interference will be caused to any established radio service.

8.1.5. A radio spectrum authorization may be varied, suspended, or withdrawn by the Commission where the assignee;

(1) ceases to be eligible to hold the temporary authorization;

(2) repeatedly violates any of the terms or conditions associated with the authorization, or;

(3) ceases to use the spectrum for the stated purposes.

- 8.1.6. The assignee shall comply with all radiation emission standards adopted and published by the International Commission for Non-Ionizing Radiation Protection (ICNIRP) or any other applicable radiation standards as may be specified by the law or by the Commission.
- 8.1.7. The assignee shall establish only the authorized radiocommunications systems specified in the authorization application, subject to compliance with the terms and conditions. No other radiocommunications system may be established without prior written approval by the Commission for the same.
- 8.1.8. The Commission reserves the right to inspect the radiocommunications systems and/or operations at any time to ensure compliance with the authorization terms and conditions.
- 8.1.9. The assignee shall obtain, at the assignee's expense, any other permits, licenses, or applicable approvals that may be necessary to construct, operate and maintain any facilities or infrastructure associated with the radio operations or arising from the obligation of complying with any condition associated with such permits, licenses, other approvals or authorizations.
- 8.1.10. The Commission may, at its discretion, require an assignee prior to commencement of transmissions, to coordinate its proposed operation with other assignees that may suffer interference as a result of its operations.
- 8.1.11. The assigned frequency, the radio frequency spectrum authorization, and the rights accrued under such authorization shall not be transferred, assigned, or in any manner (either voluntarily or involuntarily) disposed of unless the Commission determines that such a transfer is in the public interest and provides consent to the same in writing.
- 8.1.12. Any person to whom a temporary radio authorization has been granted shall ensure that no operational changes are made to the approved/authorised technical parameters or reconfigure any radiocommunication equipment operating under the temporary authorization, without prior approval of the Commission.

- 8.1.13. The temporary radio authorization assignee shall identify and provide contact details to the Commission of a person that shall be responsible for all the radio operations that shall be conducted.
- 8.1.14. The person in 8.1.13 shall serve as the focal point of contact on all matters involving interference resolution and must obtain the authority to immediately discontinue any radiocommunications under the temporary authorization, if necessary.
- 8.1.15. In case of permanent discontinuance of the operation of a station before the expiry of the authorization, the assignee shall notify the Commission, and thereafter clear any operations on the assigned frequency resources including the dismantling of the associated equipment and/or reshipping this to the country of origin.

## **9. Radio Spectrum Authorization Mechanism**

### **9.1. Classification of temporary authorizations**

Temporary radio frequency spectrum authorization shall be classified as follows:

- (1) *Test and Trials*: These shall include the testing, trial and demonstration for sale new technology, innovative radio equipment, and radiocommunication services.
- (2) *Experimental Radio Operations*: These shall encompass all radiocommunications exclusively used in research or to facilitate innovation of technology, a communication product/application, or a communication service by academia, government, innovation hubs, and other such qualified research and innovation persons.
- (3) *Special Event*: This may include among others, religious, cultural, sports, state-organized events, or any other community/social event that the Commission shall consider befitting in the circumstances.
- (4) *Emergency Communication*: This shall comprise communication services during a disaster or recovery from the same.



## 9.2. Tests and Trials

### 9.2.1. Background

The grant of radio frequency spectrum under this category is intended to facilitate tests, trials and demonstrations of innovative radio equipment/technology and services respectively.

### 9.2.2. Applicability

Grant of temporary spectrum authorization under this category shall apply to any operations aimed at conducting tests, trials and demonstration of innovative radio equipment and/or services as follows;

- (1) Product development tests.
- (2) Any other radio tests to facilitate the bringing to market or adoption of new radio equipment, techniques, or new radiocommunications application and services, to confirm among others; performance, interconnection, conformance to respective standards, interoperability, and functionality.
- (3) Tests required for the fulfilment of the requirement on type-approval of communications equipment;
- (4) Any market trials on innovative radiocommunications technology or service(s) within the communications sector;
- (5) Demonstration of equipment to prospective purchasers by licensed persons engaged in the business of selling radio equipment.
- (6) Demonstration of equipment to potential customers at their business premises or exhibition grounds.
- (7) Foreign exhibitors who may wish to showcase their products in Uganda.

### 9.2.3. Application and Authorization

#### 9.2.3.1. Eligibility

- (1) Only licensed operators shall be eligible for *Trials*;
- (2) Testing labs, licensed equipment vendors and manufacturers of radiocommunication equipment shall be eligible for *Tests*.

### **9.2.3.2. Filing an application**

- (1) Applications for radio spectrum authorization shall be made by selecting, completing, and submitting the applicable technical forms via <https://eservices.ucc.co.ug/>.
- (2) Applicants shall also submit a copy of the certification of company registration in Uganda or a legal document that defines the company's identity.
- (3) The provision of subsection 9.3.3.2 (4) (b) herein shall apply;
- (4) Upon receipt of a complete application, the Commission shall:
  - (a) Assess the application against the spectrum requirement, subject to availability;
  - (b) Ensure timely feedback to any applicant whose spectrum requirement requests could not be accommodated;
  - (c) Ensure that the grant of a temporary authorization does not result in or foster spectrum hoarding.

### **9.2.3.3. Term and Condition**

In addition to the provisions outlined in section 8.1, the following conditions shall apply for *tests* and *trials* of radio operations in Uganda;

- (1) A *test* radio spectrum authorization shall grant the right to use the spectrum to carry out tests of radio equipment or technologies;
  - (a) *Test* radio operations shall not involve the public or the provision of services to third parties, and;
  - (b) All radio operations associated with the test shall be limited to a specified location.
- (2) A *trial* radio operation shall grant the right to use the spectrum to carry out market trials of innovative radio services or technology, which may include the involvement of members of the public or third parties. Additionally;
  - (a) The service under *trial* must not replicate any existing communication service available in Uganda;

- (b) All spectrum authorization resources for *trial* shall be granted on the condition that the trial will be carried out on a non-commercial and non-profit basis;
  - (c) Any offered services must be at no cost to any participating third parties and the terms and conditions to the participating third parties should include relevant clauses that shall guarantee this requirement;
  - (d) All target participants under the trial must be duly informed of the nature of the trial, the intended goals, and participant's obligations as listed in Annexure-2 herein.
- (3) The Commission may, as a condition of authorization, require the assignee to submit periodic reports to evaluate the progress of its operation. The reports must among others, highlight the progressive results and final findings, and challenges if any, and at the conclusion, whether the objectives of the test or trials were achieved.

### 9.3. Experimental Radio Operations

#### 9.3.1. Background

The grant of radio frequency spectrum authorization for experimentation purposes is intended to support qualified persons or statutory bodies, academia, and research institutions to conduct research and the development of radiocommunications products.

#### 9.3.2. Applicability

The grant of a temporary radio frequency spectrum for experimentation purposes shall apply to the following type of operations;

- (1) Experimentations in scientific or technical radio research;
- (2) Study or experimentation of communications technology or associated equipment for the need of technical research and Innovation;
- (3) Research and innovation programs for which the radio frequency spectrum authorization is being used as a tool in research for another purpose.
- (4) Services or applications other than communications services on an experimental research and development radiocommunications network set up in a specific experimental field.

### **9.3.3. Application and Authorization**

#### **9.3.3.1. Eligibility**

- (1) The radio spectrum authorization for experimental purposes shall be limited to the persons or statutory, academia, and research institutions accordingly;
- (2) Radio spectrum processing shall consider only applications received from the entities listed below;
  - (a) A college or university with a graduate research program in engineering;
  - (b) A research laboratory;
  - (c) A hospital or health care facility;
  - (d) Registered Research and Innovation hubs;
  - (e) Government research institutions, labs, or partners.
  - (f) Qualified persons with proven experience, institutional processes, and capacity to manage operations associated with the radiocommunications equipment or experiment, or satisfactory knowledge of radio wave propagation obtained through academic qualifications, professional courses, or any other, as applicable.
  - (g) Any other as the Commission may deem applicable in the context of facilitating research into the development and use of new communications techniques and technologies.

#### **9.3.3.2. Filing of an Application**

Subject to the Act and the regulations issued thereunder, an application for a temporary spectrum authorization shall conform to the following:

- (1) Applications for radio spectrum authorization to conduct experiments shall be made by selecting, completing, and submitting the applicable technical forms via <https://eservices.ucc.co.ug/>.
- (2) Any correspondence relating thereto that cannot be submitted electronically may be sent physically at any of our branch offices around the country or via post to P.O. Box 7376, Kampala.

- (3) Applications must be submitted to the Commission at least sixty (60) calendar days before the commencement of the proposed operation.
- (4) An application shall contain the following set of information;
- (a) Legally registered name of applicant (with evidence), physical & email address, and phone contact details;
  - (b) A brief write-up describing the experiment including the schematic diagram of the setup, as appropriate, in addition to;
    - (i) The purpose and benefits of the experiment;
    - (ii) A diagram of systems/equipment and interconnection configurations if interconnecting with other networks.
    - (iii) A planned collaboration with domestic industries, authorities, or academic circles, as appropriate;
    - (iv) Prediction/simulated coverage maps indicating the locations of the stations, associated coordinates, etc.
    - (v) Time and dates of the proposed operation.
    - (vi) Class (es) of station (e.g., fixed, mobile, or both) and call sign of station (if applicable).
    - (vii) List of equipment to be used, including the name of manufacturer, model, and number of units.
    - (viii) The radio frequency spectrum (or frequency bands) requirement for the experiment.
    - (ix) Maximum effective radiated power (ERP) or equivalent isotropically radiated power (EIRP).
    - (x) Emission designator or describe emission (bandwidth, modulation, etc.)
    - (xi) Overall height of antenna structure above the ground.
    - (xii) An interference mitigation plan to prevent service degradation to any duly authorized operations within or in the adjacent bands, as appropriate.

- (xiii) Technical specifications or datasheets as provided by the manufacturer of all equipment associated with the experiment including antenna gain, and signal operational bandwidth requirement.
- (xiv) Alternative frequency band(s) or range(s), in case the preferred frequency bands are not available for the proposed purpose.
- (xv) Where installation and/or operation of the equipment may significantly impact the environment, an approved environmental assessment report/certification from the relevant government agencies must be submitted with the application.

(5) In considering a received application, the Commission shall:

- (a) assess the received application and respond in not more than twenty (20) working days from the date of receipt.
- (b) once an application is approved, an authorization specifying among others technical operational parameters, usage terms & conditions, and any applicable obligations shall be issued to the successful applicant(s);
- (c) the grant of authorization for the requested spectrum resources is subject to alignment with the Uganda National Table of Frequency Allocation.

(6) While efforts shall be made to accommodate the frequency preferences, it may however not always be possible to do so. In the case that this is not possible, the Commission shall accordingly communicate this to the applicant.

### **9.3.3.3. Terms and Conditions**

The grant of radio spectrum authorization for experimental purposes shall be subject to the following;

- (1) The general provisions of *Section 8.1.* herein shall apply. However, in case of any contradiction, the specific provisions under this section shall prevail.
- (2) Radio stations participating in the experimentation operation or setup should only communicate among themselves. This notwithstanding, upon satisfactorily showing that the proposed communication with other parties is essential to the conduct of the experiment, the Commission may grant the communication with radio stations operating under other radio frequency authorization arrangements/setups including those of the commercial networks/operations.

- (3) A radio spectrum assignee shall not charge nor seek any payment, directly or indirectly, from any person for any activities conducted under this authorization.
- (4) The experimentation shall be conducted in a defined geographic area under the control of the radio spectrum assignee
- (5) The Commission may, as a condition of authorization, require that the assignee submit periodic reports to evaluate the progress of its operation. The reports must among others, highlight the progressive results and final findings, and challenges if any, and at the conclusion, whether the objectives of the experiment were achieved.

#### 9.4. **Special Events**

##### 9.4.1. **Background**

A radio frequency spectrum authorization under this category is intended to support social events whose success or effective management requires the use of radio frequency spectrum on a short-term basis or temporarily.

##### 9.4.2. **Applicability**

The grant of a temporary radio frequency spectrum authorization for special events shall apply to among others, the following type of operations;

- (1) Outdoor filming;
- (2) Live broadcasting of social events including
  - a) Operations of satellite earth station installations relaying live content from certain part(s) of the country to the broadcasting studios, or any other;
  - b) Mobile or fixed audio/video links to relay audiovisual content to audiences in different locations across the country.
- (3) Operations of land mobile radio systems and wireless microphone systems whose operational frequency ranges are not covered by the existing band policies. The operation must, however, be in accordance with the Uganda National Table of Frequency Allocation;

### **9.4.3. Application and Authorization**

#### **9.4.3.1. Eligibility**

Temporary radio frequency spectrum authorization for special events may be considered against applications received to facilitate;

- (1) Cultural, religious, entertainment, sporting, or political event;
- (2) State celebrations, public mobilization, and/or sensitization drives;
- (3) Any other form of a community event as the Commission deems appropriate.

#### **9.4.3.2. Filing of an Application**

Subject to the Act and the Regulations issued thereunder, filing of an application under this category of temporary authorization shall comply with the following requirement;

- (1) Applications for temporary radio authorization for special events shall follow the provisions in *Section 9.2.3.2* herein. In case of any contradiction, the specific provisions under this section shall govern.
- (2) The applicant shall additionally provide the following information;
  - (a) A detailed description of the nature of the event, the proposed dates of occurrence, location, anticipated duration and any prior planned testing;
  - (b) Evidence of expertise working with the respective radiocommunication systems (land mobile, earth stations, and wireless systems, as applicable);
  - (c) A detailed description of the equipment to be used at the event and the associated function(s);
  - (d) Proof of clearance, as applicable, from the relevant security and other government agencies regulating such activities associated with the proposed event for which temporary radio frequency spectrum authorization is being sought;
  - (e) In cases where Very Small Aperture Terminals (VSAT) terminals or Earth stations will be deployed, applicants shall be required to provide the following additional information:



- (i) proof of a service contract and company details of the duly authorized satellite operator/service provider and the country of satellite origin;
  - (ii) technical specifications of the satellite system(s); orbital location and the associated frequency bands of operation.
- (3) In considering a received application, the Commission shall follow the provision of sections 9.3.3.2 (5) and (6) herein.

#### **9.4.3.3. Terms and Conditions**

All successful applicants to whom a temporary radio frequency authorization under this category will be granted shall;

- (1) Comply with the general provisions in *Section 8.1* herein. In case of any contradiction, the specific provisions under this section shall govern.
- (2) The assignees shall ensure that any equipment that was imported specifically for the sole purpose of and/or use at the event is dismantled and re-exported within thirty (30) days after the event unless the Commission approves its continued use/storage in the country upon request by the equipment owners. The Commission shall before granting such approval require that the subject equipment is type-approved.
- (3) A valid temporary radio spectrum authorization under this category shall be limited to a specified location.

### **9.5. *Emergency Communication Services***

#### **9.5.1. Background**

This category of temporary spectrum authorization seeks to facilitate emergency response providers, relevant government officials and/or the public to continue to communicate in the event of disasters or other emergency.

#### **9.5.2. Applicability**

- (1) An emergency communication needs for which an immediate danger exists to human life or property.
- (2) National security and war emergency communications.

### 9.5.3. Application and Authorization

#### 9.5.3.1. Eligibility

- (1) A licensed National Telecommunication Operator or infrastructure provider;
- (2) Government agencies in charge of coordinating emergency communications services;
- (3) Any other person the Commission deems appropriate in the respective circumstances.

#### 9.5.3.2. Filing of an Application

Subject to the Act and the Regulations issued thereunder, any person(s) who intends to access and use the radio frequency spectrum to support emergency communications services under a temporary authorization are required to;

- (1) Submit an application letter addressed to the executive director of the Uganda Communications Commission by any means convenient in the circumstance.
- (2) The application shall;
  - (a) describe communication needs/gaps, spectrum requirements, technical details of the proposed network setup, and;
  - (b) the copies of the technical specifications of associated network equipment as provided by the manufacturer.
- (3) Upon receipt of an application, the Commission shall expeditiously assess the received application and respond as soon as practical to facilitate emergency intervention;
- (4) The Commission may after a study or as it deems necessary, invite the communication licensees to apply for specific spectrum resources to alleviate communications constraints/needs (*network capacity or coverage*) in emergency preparedness, mitigation, response, and recovery. The invitation to apply shall;
  - (a) Specify the eligibility criteria, terms and condition, as well as the associated obligations in the context of the call to apply.
  - (b) Require the potential applicants to justify the need for the additional spectrum resources.

- (c) The justification in 4(b) above shall include information on network statistics, evidence of level deployments and utilization of the any spectrum holding(s), interventions that have been undertaken by the applicant in respect of the prevailing/respective emergency needs, and/or any other supporting information as deemed relevant to the context.

### **9.5.3.3. Terms and conditions**

All successful applicants to whom a temporary radio frequency authorization under this category will be granted shall;

- (1) Comply with the general provisions in *Section 8.1* herein. In case of any contradiction, the provisions under this section shall govern.
- (2) The assignees shall ensure that the associated resources are returned to the Commission as soon as the subject need for emergency communications services ceases, as shall be declared by the relevant government authorities or the duration of the temporary authorization expires unless otherwise authorized by the Commission.
- (3) The Commission shall not be held responsible in any manner for any damages suffered, expenses or losses incurred by the assignee as a result of the implementation or cessation of this authorization.

## **10. Type-Approval**

10.1. The requirement to type-approve of any devices or equipment planned for use under a temporary authorization or exemption that under the category in *Section 9.1 herein* above shall be guided by the provisions of *Section 7.2* of the framework on type-approval of Communications equipment in Uganda.

10.2. The above-referenced type-approval framework is available on the Commission's website. <https://www.ucc.co.ug/type-approval/>.

## **11. Public Safety**

11.1. For operations under a temporary authorization that may affect frequency bands used for the provision of aeronautical services, commercial radiocommunications services, emergency notifications, or public safety purposes, the spectrum assignees shall, before commencing transmissions, develop a specific plan to avoid interference operations in these bands;

11.2. The plan must include provisions for:

- 11.2.1. Providing notice to parties, including other spectrum users that are authorized to operate in the same bands and geographic area as the planned operation and, as appropriate, their end-users;
- 11.2.2. Rapid identification and elimination, of any harm the operation, may cause.

## **12. *Applicable Fees***

The Commission shall charge administrative spectrum fees for application processing and grant of the temporary radio frequency spectrum authorization as per the Uganda Communications (Fees and Fines) regulation except operations exempted under section 23 of the Act.

## **13. *Stakeholder Responsibility***

### **13.1. The Commission**

- (1) Regularly review and update the provisions of this guide to ensure its continued relevance and effectiveness.
- (2) ensure smooth implementation of these guidelines.

### **13.2. Spectrum Authorization Assignee**

- (1) Acquaint themselves with the other relevant laws, the Commission regulations and regulatory frameworks and guidelines that relate to radiocommunications and communications services as a whole in Uganda.

## **14. *Liability***

- 14.1. The Commission reserves the right to approve, suspend or revoke an authorization without warning at any stage of its implementation, for among others, repeated violation of any of the associated terms and conditions or if deemed necessary in the national interest, and;
- 14.2. The assignee may however appeal to the decision by the Commission.
- 14.3. Shall not be held liable for any damages or financial losses incurred by the users due to 14.1.

## **15. Enforcement and Remedial Measures**

- 15.1. Any operator who fails correct failures/contraventions or complies with the requirements and obligations contained herein after the Commission has notified such failures or non-compliance shall be deemed to have contravened the Act and the Regulation issued there under;
- 15.2. Considering the risk of harmful interference to licensed operations as well as to human health and safety, the Commission may require that the authorized person under this guide cease all operations as soon as these risks are made known to the Commission;
- 15.3. Remedial action by the Commission in respect of such contravention may include:
  - (1) Issuance of a written warning with a deadline for compliance by the respective operator;
  - (2) Imposing a fine or any other measure, as deemed appropriate in the circumstance.

**Annexure-1:**

**Form D**

The link to this form will accordingly be provided.

**Annexure 2:**

**Template for informing trial participants of the nature of the trial.**

**1. Information**

The information provided to the trial participants should include:

- 1.1. what the trial is about;
- 1.2. who is conducting/implementing the trial;
- 1.3. obligations of participants and what they would be consenting to;
- 1.4. the duration of the trial;

**2. Undertaking**

Trial participants should be requested to take the undertaking as follows;

“I have agreed to participate in a radio service trial to be carried out by..... [name of the spectrum assignee] during the period [enter estimated start and finish dates of trial]. I understand that there is no guarantee of continued service beyond the trial period, that I am under no obligation to subscribe to any subsequent commercial service provided by..... [name of the spectrum assignee] upon completion of the trial, and that any subsequent commercial service that might be offered would not necessarily be on the same terms and conditions or at the same price as the trial.”

Name of the Trial Participant:.....

Contact Details:.....

Signature.....

**Date: ...../...../2023**