

STATUTORY INSTRUMENTS SUPPLEMENT

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S T A T U T O R Y I N S T R U M E N T S

2019 No. 92

THE UGANDA COMMUNICATIONS (QUALITY OF  
SERVICE) REGULATIONS, 2019.

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# STATUTORY INSTRUMENTS

2019 No. 92.

## **The Uganda Communications (Quality of Service) Regulations, 2019.**

*(Under sections 5 (1) (u), 57 and 93 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 5<sup>th</sup> day of July, 2019.

### PART I — PRELIMINARY

#### **1. Title.**

These Regulations may be cited as the Uganda Communications (Quality of Service) Regulations, 2019.

#### **2. Application.**

These Regulations apply to operators licensed under the Act.

#### **3. Objectives of Regulations.**

The objectives of these Regulations are—

- (a) to prescribe minimum standards of quality of service for operators;
- (b) to create conditions for consumer satisfaction by prescribing the quality of service which an operator is required to provide and which the user has the right to expect;
- (c) to prescribe standards for the measurement of the quality of

- service provided by an operator in order to assess the level of performance of the operator;
- (d) to promote fairness and safeguard the interests of consumers of communications services; and
- (e) to prescribe penalties for non-compliance with these Regulations.

#### **4. Interpretation.**

In these Regulations, unless the context otherwise requires—

“access network” means a group of linked entities which provide the required transport bearer capabilities for the provision of communications services between a user equipment, a service terminal and the associated operator servicing terminal and, in case of postal services, sufficient geographical footprint and operations time;

“Act” means the Uganda Communications Act, 2013;

“blocked call” means a call attempt that fails to achieve a connection to the destination party and therefore not receiving an alerting or ringing tone, busy tone, answer signal or announcement;

“busy period” means the subsequent one hour intervals of the day for which the traffic or the number of call attempts is greatest or section of the day during which tests are performed by the Commission;

“call attempt” means an attempt to achieve a connection to one or more devices attached to a telecommunications network which commences when the destination address information required for setting up the call is sent by the user;

“communications” means telecommunications, data communications, radio communications, postal communications; and includes broadcasting;

“communications services” means services consisting of the dissemination or interchange of audio, visual or data content using postal, radio or telecommunications media or data

communication, and includes broadcasting;

“critical outage” means a failure or disruption of normal operations of network elements or sections of the network, causing failure to access resources necessary for provisioning services from at least five adjoining serving access network terminals within a 5km radius from an access network serving terminal for more than 60 seconds affecting more than 30 percent of traffic in the affected area;

“dropped call” means a call terminated by the network before it is ended by either party participating in the call;

“network availability” means a measure of degree to which the network is usable or the time that network resources are available to the customer, excluding time for planned maintenance;

“operator” means a person licensed to provide a communications or broadcasting service under the Act;

“parameter” means a measurable characterisation of the quality of an aspect of a service;

“quality of service” means the totality of characteristics of a communications service that bear on its ability to satisfy stated and implied needs of the user of the service;

“scheduled maintenance” includes planned network changes carried out to optimise network resources, install new infrastructure or expand network coverage and which is included in the annual business plan of the operator as a scheduled activity;

“unplanned outages” means network service degradation or interruptions caused by unforeseen or unpredictable events on the network;

“unscheduled maintenance” means planned network changes or enhancements carried out to remedy a fault, optimise network services or any other activity associated with the daily operations of the network and are not included in the operator’s annual business plan as a scheduled activity;

“user” means any entity external to the network which utilises connections through the network for communication;

“traffic channel” means a network path or circuit across which information is transmitted.

## PART II — QUALITY OF SERVICE

### **5. Quality of service targets.**

(1) Every operator shall, as applicable, achieve the targets of quality of service in accordance with the parameters specified in Schedules 1, 2, 3 and 4 to these Regulations; and any other parameters specified by the Commission in a licence issued under the Act.

(2) The measurement methods, formulae and calculations used to evaluate the parameters under subregulation (1) shall be in accordance with those specified by the Commission for the associated quality of service indicators.

(3) Where network statistics are used to indicate the quality of service, the set of network element counters and related formulae shall be determined by the Commission, in consultation with the operator.

### **6. Quality of service reports.**

(1) Every operator shall report to the Commission, quarterly quality of service results as measured against its mandated quality of service targets specified in regulation 5.

(2) The Commission may, in addition to the reporting requirements under subregulation (1), at any time, in the exercise of its functions, require an operator to submit a report of its quality of service performance with respect to the parameters specified in Schedules 1, 2, 3 and 4 to these Regulations, where applicable.



(3) The reports referred to in this regulation shall be based on the regions of Uganda set out in the map contained in Schedule 5 to these Regulations reproduced in the reporting format set out in Schedule 6 to these Regulations and shall be accompanied by a declaration signed by an authorised officer of the operator, certifying that the report is true and accurate.

(4) The results in the report under subregulation (1) shall be aggregated on a weekly basis beginning with the 1st day of January of the respective calendar year and shall be submitted to the Commission by the 25<sup>th</sup> day of the first month of the following quarter.

(5) The data used to produce the report under subregulation (1) shall be kept by the operator for a minimum of twelve months and shall be availed to the Commission on request.

(6) For the purposes of subregulation (2), the operator shall submit separate reports for each region and each report shall be considered as a complete report for purposes of these Regulations.

**7. Critical outage report.**

(1) The operator shall report to the Commission all critical outages affecting its network in the form set out in Schedule 6 to these Regulations.

(2) The report under subregulation (1) shall be made, in the case of—

- (a) scheduled maintenance, at least forty eight hours before the outage;
- (b) unscheduled maintenance, six hours before the outage;  
or
- (c) unplanned outages, within twelve hours after the outage.

**8. Monitoring and inspection by Commission.**

(1) The Commission shall monitor, inspect, or conduct surveys or performance audits of the operator to establish—

- (a) the performance of an operator against the quality of service parameters issued by the Commission under regulation 5; and
- (b) the completeness and veracity of the reports submitted under these Regulations.

(2) For the purposes of subregulation (1), the Commission may—

- (a) carry out impromptu or routine tests, consumer surveys and audits of data received from the operators; and
- (b) use modes of testing that may include drive tests and mobile test probes.

(3) For purposes of this regulation, the operator shall, at all times, allow access by the Commission or its authorised representatives to its network installations and records including soft copy and hard copy versions of captured data.

**9. Direction to remedy breach.**

(1) Where, as a result of a quality of service report submitted under these Regulations, or as a result of an investigation, or inspection, the Commission determines that an operator has breached an obligation under these Regulations, the Commission shall direct the operator to remedy the breach, or to do such act specified by the Commission in within the time specified.

(2) The operator shall, on receipt of the Commission's direction under subregulation (1) —

- (a) submit a remedial action plan to the Commission within 5 days;
- (b) perform remedial monitoring and evaluation; and
- (c) submit an impact report 3 days after implementation of the remedial action plan.



(3) The Commission shall verify the contents of the impact report submitted under subregulation 2(c) and will communicate the findings to the concerned operator and the public.

(4) The direction referred to under subregulation (1) shall be in Form 1 set out in Schedule 7 to these Regulations.

**10. Fine for non-compliance.**

(1) The Commission may, after consideration of any representations of the operator, in accordance with section 41(2) (b) of the Act, by notice direct an operator to pay a fine not exceeding ten percent of the gross annual revenue of the operator where the operator—

- (a) fails to measure the quality of service as required under regulation 5;
- (b) fails to achieve the quality of service targets referred to in regulation 5;
- (c) fails to comply with a directive issued by the Commission to remedy a breach under regulation 9;
- (d) denies the Commission access to its premises, network elements and records; or
- (e) fails to submit reports or submits false reports under these Regulations.

(2) The notice referred to under subregulation (1) shall be in Form 2 set out in Schedule 7 to these Regulations and shall specify the fine to be paid by the operator.

(3) The Commission shall, in determining the fine under subregulation (1), take into account the nature and cause of the breach or non compliance and shall be guided by the calculations specified in Schedule 8 to these Regulations.

**11. Events or acts beyond control of operator.**

(1) The Commission shall determine which events or acts are beyond the reasonable control of the operator on a case by case basis following analysis and consideration of measures employed by the

operator to mitigate unforeseen events.

(2) Where an operator fails to fulfil any of the requirements under these Regulations as a result of events referred to in subregulation (1), the failure shall not constitute a breach of these Regulations.

(3) Where an operator fails to fulfill any of the requirements as a result of events referred to in subregulation (1), the operator shall promptly notify the Commission, giving particulars of the failure and the cause.

(4) Where an operator fails to fulfill any of the requirements as a result of events referred to in subregulation (1), that period of non-compliance shall not be included in the period during which the operator would otherwise have been obliged to discharge those obligations.

**12. Publication of quality of service results.**

The Commission shall, annually, publish in the Gazette, in a national newspaper and any other media of national circulation in respect of all operators, a quality of service report containing its findings collected during implementation of these Regulations.

**13. Revocation of S.I. No. 73 of 2012.**

The Uganda Communications (Telecommunications) (Quality of Service) Regulations, 2012 are revoked.

## SCHEDULES

### SCHEDULE 1

*Regulations 5(1) and 6 (2)*

#### QUALITY OF SERVICE INDICATORS FOR VOICE

	Parameter	Description	Target values
1.	Service activation or provisioning time	Time taken to provide a service from the time a customer completes all due obligations for provision of service	95% of all applications should be completed within 24 hours. 100% of all applications should be completed within 48 hours. The user active interface is the indication of completeness.
2.	Service restoration time	The time taken to restore the service from the time the fault is reported by a customer (The time interval during which a network element is in a down state due to a failure)	80% of all service restoration should be fulfilled within 24 hrs. 100% of all service restoration should be fulfilled within 48hrs.
3.	Network availability	Degree to which the network is usable; or the time that network resources are available to the customer. (Excludes time for planned maintenance).	>99% availability for core network elements. >95% for access network elements.
4.	Blocked call rate	Proportion of unsuccessful call attempts during busy hour	Proportion of blocked calls in busy period. Not more than 2% of the call attempts made during busy period should be blocked.

5.	Call setup success rate	Portion of call attempts with an indication of call connection (alerting, busy tone or announcement) within 12 seconds from the instant the user initiates a request.	More than 95% of the call attempts made in the busy period should receive a connection indication within 12 seconds.
6.	Dropped call rate	Proportion of calls, which once successfully established and therefore have an assigned traffic channel, are dropped or interrupted prior to their normal completion by the user, the cause of the early termination being with the operator's network	Not more than 2% of established calls should be dropped during busy period before either called or caller party terminates connection.
7.	Billing accuracy	The correctness of the billing information in reflecting all the necessary billing parameters and actual use and cost of the service.	98% of billing information should be accurate within the first 10 seconds. 100% within the first 15 seconds after use of the service. Overall bill accuracy should be 99.9% Transparency in Billing Transparency in metering

4.	Successful log-in ratio	<p>The successful log-in ratio is defined as the ratio of successful log-ins to access the Internet.</p> <p>A successful log-in is one that is done within 10 seconds.</p> <p>Network and the Internet Access Provider (IAP) network are available in full working order.</p>	Minimum of 98% logins for internet access service should be successful.
5.	Parameter	Description	Target
6.	Billing speed	<p>The time taken from end of call to the time the billing information is provided to the customer.</p>	<p>Billing information should be provided within 10 seconds after use of the service, 99% of the time.</p>
7.	Billing accuracy	<p>The correctness of the billing information in reflecting all the necessary billing parameters and actual use and cost of the service.</p>	<p>98% of billing information should be accurate within the first 10 seconds. 100% within the first 15 seconds after use of the service. Overall bill accuracy should be 99.9% Transparency in Billing Transparency in metering</p>



8.	Repairs (This is applicable to faults reported by users and faults detected and reported by network monitoring elements.)	The time taken from the report of fault to the time the fault has been rectified.	95% of all reported faults should be repaired within 24 hrs. 100% of all reported faults should be repaired within 48 hrs.
9.	Service Support	The time taken from a request made to the operator for service support to the instant service has been provided to the satisfaction of the customer.	95% of all service support requests should be satisfactorily addressed within 24 hrs. 100% of all service support requests should be satisfactorily addressed within 48 hrs.
10.	Service Support Availability	Reliability of user access facilities for making service support requests. The facilities will include the hours of access as well as methods of access.	More than 98% of call attempts to customer help lines should be successfully connected to support personnel within 20 seconds.



## SCHEDULE 3

*Regulations 5(1) and 6 (2)*

### QUALITY OF SERVICE PARAMETERS FOR TELEVISION BROADCASTING (AUDIO-VISUAL CONTENT)

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#### PART A: FRAMEWORK FOR QUALITY OF SERVICE (QoS) FOR TELEVISION BROADCASTING SERVICES IN UGANDA

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#### 1. INTRODUCTION

(1) This framework is issued in fulfilment of the mandate of the Uganda Communications Commission (UCC) under section 5(i) and 5(k) of the Uganda Communications Act 2013, to prescribe “set national communication standards and ensure compliance with national and international standards”; and “safeguard the interests of consumers and operators as regards the quality of communications services and equipment”.

(2) The framework seeks —

- (i) to empower consumers to drive the provision of quality of services by making informed choices;
- (ii) to facilitate good performance by the broadcast operators in a competitive environment by highlighting their performance and by use of approved regulatory measures.

(3) This framework applies to the following Television (TV) Broadcasting Services—

- (a) public and pay TV infrastructure providers on the terrestrial, satellite and cable platforms.
- (b) pay TV content service providers on the terrestrial, satellite and cable platforms

#### 2. DEFINITIONS

(1) In this schedule, unless the context otherwise requires, the

following terms shall have the meanings ascribed to them under this paragraph. In the event of conflict or ambiguity between the terms defined herein and the terms defined in a licence or in the Uganda Communications Act, 2013 the following order of precedence shall apply—

- (a) The Uganda Communications Act, 2013;
- (b) The Uganda Communications (Quality of Service) Regulations, 2019;
- (c) Licence terms and conditions;
- (d) Technical guidelines issued by the commission.

(2) In this Schedule, the following terms shall have the following meanings—

“billing” means the administrative function of preparing bills and submitting the bills to customers;

“complaint” means a statement by a customer expressing dissatisfaction due to a difference between the expected and the delivered benefits from the use of the service. The complaint may be made in various forms such as, writing, electronic means, or in person;

“customer” means a user of a service who is responsible for payment for the services;

“Customer Premise Equipment (CPE)” means equipment placed at the customer’s premises and that enables the customer to access the service providers’ services. Set top boxes, satellite dishes and decoders are examples of CPEs;

“force majeure” means an inevitable, unpredictable act of nature, not dependent on an act of man;

“preventive maintenance” means maintenance that is regularly performed on equipment to lower the likelihood of the equipment failing.

“Quality of Service (QoS)” means the totality of characteristics of a communications service that bear on its ability to satisfy stated and implied needs of the user of the service;

“service provider” means an operator providing its customers with access to broadcasting services.

### **3. RESPONSIBILITIES OF COMMISSION & LICENSEES UNDER THIS FRAMEWORK**

#### **(1) The responsibilities of the Commission are—**

- (a) to set the quality of service standards, specifying the QoS parameters against which performance shall be evaluated and the associated target levels. The Commission may amend these parameters or the targets from time to time to accommodate developments in the sector;
- (b) to specify the methodology to measure performance against each QoS parameter;
- (c) to apply for appropriate sanctions in cases of noncompliance by a licensee;
- (d) to carry out audit of the QoS reports submitted by licensees;
- (e) to carry out measurements against some or all the QoS parameters; and
- (f) to carry out comparative publishing of QoS performance of the licensees

#### **(2) The responsibilities of licensees are—**

- (a) to have their technical operation in line with the standards set by the Commission;
- (b) to cooperate in providing access to facilities and information to the Commission or authorised persons for inspections, audits and investigations;
- (c) to carry out measurements as specified by the Commission and submit periodic reporting on the respective QoS indicators and critical outage reports as outlined by the Commission;
- (d) to provide explanations in cases where the QoS performance is below the standard as well as associated remedial plans;
- (e) to comply with the reporting requirements set by the Commission on the QoS performance of the licensee.

#### **4. QoS MEASUREMENTS BY LICENSEES**

(1) Measurement methods, formulas and calculation shall be in accordance with those specified for the associated QoS parameters by the Commission.

(2) All supported data used to produce the quarterly reports shall be kept by the licensee for a minimum of twelve (12) months and shall be availed to representatives of the Commission on request.

(3) For each quality of service parameter that the licensee is required to report against, the licensee shall prepare periodic reports at intervals as provided in the licence or as requested by the Commission.

#### **5. QoS MEASUREMENTS & AUDITING BY COMMISSION**

(1) The Commission shall conduct inspections, surveys or performance audits of the quality of service of the licensees from time to time to establish the performance of the licensees and adherence to the Commission quality of service standards.

(2) Measurements for activities under subparagraph (1) shall be done using modes of collection of data including -

- (a) impromptu and routine drive tests;
- (b) consumer survey; and
- (c) statistical data and documents received from operators.

(3) The Commission reserves the right to use its own personnel, employ the services of specialist personnel or an independent third party to conduct any QoS audits deemed necessary.

(4) In cases of impromptu onsite audits or visits, the licensee shall arrange for the Commission to be granted access to their network installations and records as and when this access is required.

(5) The licensees shall fully co-operate with and provide all assistance to such inspectors as well as with all requests of the Commission for information and all Commission verification and audit activities.

#### **6. REPORTING BY LICENSEES**

(1) The licensee shall, in every quarter, provide the Commission with reports on the results of measurements done against some of the QoS parameters.

(2) The reporting under subparagraph (1) shall be done using only the standard reporting templates provided by the Commission for this purpose which shall, in all cases, be accompanied with a declaration letter signed by a duly authorised officer of the licensee, stating that the report is true and accurate in all respects.

(3) The reports submitted under subparagraph (1) shall contain results for the respective quarter aggregated on a monthly basis starting on 1<sup>st</sup> January of the respective calendar year and the report shall be submitted to the Commission by the 25<sup>th</sup> day of the following quarter.

#### **7. NETWORK OUTAGE REPORTS**

(1) The licensee shall inform the Commission about all outages affecting its transmission and distribution network using the standard template provided in which shall be sent either electronically to the email address **ucc@ucc.co.ug** or via hard copies submitted to the Commission at any of its branch offices.

(2) Reporting of outages shall be done at least 48 hours before outage for scheduled maintenance, 12 hours before outage for unscheduled maintenance and within 24 hours of the occurrence of the unplanned outages.

## **1. PUBLICATION OF QoS RESULTS**

The Commission may publish the evaluation results of the QoS performance of licensees for consumption by the general public in any form or manner as may be deemed appropriate by the Commission.

## **2. COMPLIANCE AND ENFORCEMENT**

### **(1) Contravention**

(1) A licensee shall have committed a contravention where—

- (a) it fails to perform the measurement, reporting and record keeping tasks set out in this framework;
- (b) it fails to achieve a target for the Commission QoS parameter for a reporting period at a given reporting region;
- (c) it does not comply with a directive issued by the Commission to remedy a contravention
- (d) it publishes false or misleading information about its quality of service; or
- (e) it obstructs or prevents the Commission conducting a QoS investigation, inspection, audit or measurement.

(2) Penalty for a contravention is a fine or penalty or other appropriate sanctions under the law.

### **(2) Exemption from compliance**

(1) An operator may be exempted from compliance with the QoS standard or provisions of this schedule to the extent it is unable to comply due to force majeure, on condition that the event is reported in time.



## PART B- NETWORK RELATED QOS PARAMETERS

The parameters apply to (some or all TV) signal distribution platforms i.e. satellite, terrestrial and cable.

Parameter	Definition	Purpose	Computation	Target	Test method / Data to be used to evaluate fulfillment of target	Reporting Areas
1. Service Availability	This is the ability of a service provider to perform its required function at a stated instant or over a stated period of time assuming that the external resources, if required, are provided.	It measures the proportion of time for which each broadcasting service is available on the satellite/ cable/ terrestrial signal distribution platform.	$\frac{\text{Service Uptime}}{24 \text{ hours}} \times 100$	>99% availability	Quarterly reports on daily systems measurements of service availability submitted by the licensee	Areas that are within the service area of each broadcast transmitter/ satellite / cable network



Picture Quality	It is a term used to rate the inherent quality of the TV picture.	It assesses the television picture quality of the output of the satellite/cable/terrestrial signal distribution platform that is received by the viewers.	Quality Five-grade scale Impairment 5 =Excellent 5 =Imperceptible 4 =Good 4 =Perceptible, but not annoying 3 =Fair 3 =Slightly annoying 2 =Poor 2 =Annoying 1 =Bad 1 =Very annoying	$\geq 4$	Quarterly reports on daily system measurements of audio and video quality submitted by the licensee	Areas that are within the service area of each broadcast transmitter/satellite / cable network
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3.	Bitrate per program stream	It is a measure of the rate of information content of the digital video stream.	It is used to know the speed that digital audio and video files are encoded or compressed.	Number of bits per second	Bitrate $\geq$ 1.5Mbit/s	Quarterly reports on daily systems measurement of bitrate per program stream submitted by the licensee	Head end of the terrestrial network
4.	Modulation Error Ratio	It is a measure of the signal-to-noise ratio (SNR) in a digitally modulated signal.	It is used to quantify the performance of a digital broadcast transmitter using digital modulation.	$10 \log (\text{average symbol power} / \text{average error power})$	MER > 32dB	Drive tests by UCC on the service area of each broadcast transmitter	Areas that are within the service area of each broadcast transmitter
5.	Bit Error Rate	The ratio of the number of bits with errors to the total number of bits transmitted.	It is used to quantify the quality of a digital transmission from broadcast transmitter.	$\frac{\text{No. of bits with errors}}{\text{No. of bits transmitted}}$	Bit error rate $\leq$ 1.5Mbit/s	Drive tests by UCC on the service area of each broadcast transmitter	Areas that are within the service area of each broadcast transmitter

6.	Carrier Power to Noise Ratio	The ratio of the received signal strength relative to the strength of the received noise.	It evaluates the quality of the received signal from a broadcast transmitter.	$\frac{\text{Carrier Power}}{\text{Noise}}$	$C/N \geq 10\text{dB}$	Drive tests by UCC on a monthly basis	Areas that are within the service area of each broadcast transmitter
7.	Signal strength	It is the magnitude of an electric field at a reference point, which is located at a significant distance from the transmitting antenna.	It measures the transmitter power output as received by a TV receiver antenna at a distance from the broadcast transmitter evaluates the transmitting antenna.	Signal strength	Signal strength $> 32\text{dbm}/\mu\text{V}$	Drive tests by UCC on a monthly basis	Areas that are within the service area of each broadcast transmitter

**NB: System measurements are measurements carried out using dedicated measuring equipment for particular parameters.**

# 1. Customer Service Related QoS parameters

These parameters apply to the following groups of licensees-

- Pay TV service providers on all platforms i.e. satellite, terrestrial and cable.
- Public signal distributor on terrestrial platform.

Parameter	Purpose	Computation	Target	Test method / Data to be used to evaluate fulfillment of target	Reporting Areas
1. First time service activation	It assesses the proportion of time taken to provide a pay TV service to the customer from the instant the licensee acknowledges receipt of the payment from the customer	$\frac{\text{No. of first time service activation done within 36 hours}}{\text{No. of first time service activation done within a month}} \times 100$	<p>&gt;95%</p> <p>100% within 48 hrs</p>	Quarterly reports on first time service activation report submitted by the licensee	Customer care Service

2.	Subsequent service reactivation after payment	The proportion of requests for reactivation that are concluded within the agreed time frame after acknowledgment of the customer's payment by the licensee	$\frac{\text{No. of service reactivations done within 24 hours}}{\text{No. of service reactivations done within a month}} \times 100$	>98% w/100% within 36 hrs	Quarterly reports on service reactivation report submitted by the Licensee	Customer care Service
3.	Customer support performance in complaints handling	It assesses the quality of support services offered to customers by the licensee through service centers.	$\frac{\text{No. of complaints on nonreception of public TV services or pay TV services resolved with 24 hours}}{\text{Total No. of complaints on nonreception of public TV services or pay TV services received in a month}} \times 100$	>99% of the complaints are redressed within 24hrs 100% within 36 hrs	Quarterly reports on customer support performance submitted by the licensee	Customer care Service
			$\frac{\text{No. of other complaints resolved with 24 hours}}{\text{Total No. of other complaints received in a month}} \times 100$	>95% of the Other complaints are redressed within 24 hours 99% within 36 hrs		Customer care Service

	Notification time on service maintenance	It measures the time given to the customers (Content service providers /and public) to receive notification about preventive maintenance work on the signal distributor's network	<i>Time of providing notice to the public – Time of the preventive maintenance work on the licensee's network ( pay TV service operators &amp; public signal distributor)</i>	Notice should be at least 3 days in advance	Formal communication received from the licensee informing UCC about the notification	Customer care Service
	Billing performance	It assesses the accuracy of the bill and billing options (Prepaid and Post-paid) and billing currency.	$\frac{\text{No. of billing complaints resolved within 24 hours}}{\text{Total No. of billing complaint}}$	>99% are accurate	Quarterly reports on billing performance submitted by the licensee	Customer care Service

**PART C: TRANSMISSION & DISTRIBUTION NETWORK  
OUTAGE REPORT FORMAT**

<b>CONTACT INFORMATION</b>		
Name of licensee:		
Name of technical contact person	Em E-mail:	
	Mobile No:	
<b>OUTAGE INFORMATION</b>		
Type of critical outage		
Unplanned	Scheduled	Unscheduled
<p>Date of incident (dd/mm/ yyyy):.....</p> <p>Local time outage began (24-hr hh:mm): .....</p> <p>Outage duration: ..... hrs ..... Mins. ....</p> <p>Outage status when filling this report:.....</p> <p>.....</p> <p>Local time outage was resolved: .....</p> <p>Cause of the outage:</p> <p>.....</p> <p>.....</p>		



## EFFECTS OF THE OUTAGE

Network element(s) affected:

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Affected areas:

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Description of outage:

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Explanation of outage duration:

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Actions taken and to be taken:

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**DECLARATION**

I am authorised by the .... to legally bind the provider to the truth, completeness, and accuracy of the information contained in this report. I on oath depose and state that the information contained herein is true, correct, and accurate to the best of my knowledge and belief, and that the operator on oath deposes and states that this information is true, complete and accurate.

Name: .....

Date:..... Time:.....

## **SCHEDULE 4**

*Regulations 5(1) and 6 (2)*

### **QUALITY OF SERVICE PARAMETERS FOR POSTAL AND COURIER OPERATORS**

#### **PART A— QUALITY OF SERVICE FRAMEWORK**

##### **1 INTRODUCTION**

(1) Section 5 of the Uganda Communications Act, 2013 requires Uganda Communications Commission (UCC) to—

- (a) “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” ;
- (b) “to promote and safeguard the interests of consumers and operators as regards the quality of communications services and equipment” respectively.

(2) This quality of service (QoS) framework spells out how the Commission shall regulate the QoS of postal services offered in Uganda to ensure integrity and reliability of the services.

(3) The framework includes the QoS requirements, evaluation of performance, reporting and publication and enforcement.

(4) The provisions of this framework applies to all postal services with respect to the clearance, sorting, transport and distribution of postal article/items for a charge or fee.

(5) A postal article or item is an addressed article weighing up to 30 kilogrammes and which is deposited to the postal service provider in the final form in which it shall be transported by the postal services provider.

(6) The implementation of this framework is subject to the provisions of—

- (a) the Uganda Communications Act, 2013; and
- (b) the Uganda Communications (Licensing) Regulations, 2019.

## **2 RESPONSIBILITIES IN QoS MANAGEMENT**

### **Uganda Communications Commission**

(1) the Commission shall—

- (a) set the quality of service standards, specifying the QoS parameters against which performance shall be evaluated and the associated target levels and the Commission may amend these parameters or the targets from time to time to accommodate developments in the sector;
- (b) specify the approach to be used in measuring performance against each QoS parameter;
- (c) conduct measurements against some or all the QoS parameters;
- (d) audit the QoS reports submitted by licensees;
- (e) publish QoS information as appropriate;
- (f) apply the appropriate sanctions where a licensee failure to meet the targets, does not remedy a QoS performance breach after notification from the Commission to do so, or to comply with the reporting requirements specified under this QoS framework.

### **Responsibilities of licensees**

2. Every licensee shall—

- (a) meet or exceed levels of performance specified in the QoS standards set by the Commission;
- (b) establish and administer measurement systems to collect and, if necessary, process data regarding its performance in the application of the quality of service standards in Schedule I;

- (c) comply with the reporting requirements set by the Commission on the QoS performance of the licensee;
- (d) cooperate fully with all the Commission requests for information as well as inspection and audit activities;
- (e) ensure that the information submitted to the Commission is correct and factual;
- (f) implement remedial measures as directed by the commission;
- (g) publish, on its website, QoS information approved by the Commission in manner specified by the Commission.

### **3 MEASUREMENT OF QUALITY OF SERVICE**

(1) The measurement of performance against the quality of service parameters shall be based on the respective methodologies specified by the Commission in Schedule 1.

(2) Data acquisition used by the Commission to evaluate performance of the licensee against the QoS Standard shall include—

- (a) “live” mail;
- (b) “Test” mail;
- (c) Customer surveys;
- (d) Customer service and other operations information.

(3) The Commission reserves the right to carry out audits using its own personnel or to employ the services of a third party to validate the QoS information provided by the licensees as deemed appropriate by the Commission.

### **4 COMPLIANCE OF OPERATORS TO PRESCRIBED STANDARDS**

(1) The Commission will continuously engage the operators on the scope of the parameters, the set targets, the repercussions of not meeting the targets as well as remedial measures for poor performance.

(2) Through engagement with operators, the standards will be reviewed taking into account global industry best practice, operator

views and consumer demands.

## **5 REPORTING**

(1) Every licensee shall submit to the Commission Quarterly reports on its QoS performance using only the standard reporting templates provided by the Commission for this purpose.

(2) The licensee shall—

- (a) make timely notification to the Commission of circumstances that might affect achievement of established delivery standards;
- (b) include in their quarterly operational reports incidents of delayed delivery.

(3) The licensee shall also comply with any additional information requests or reporting requirements made by the Commission on its QoS.

(4) Operators shall be obliged to keep the original data files pertaining to complaints received for purposes of reference, should the need arise.

## **6 OTHER OBLIGATIONS**

### *Customer service*

(1) To facilitate the monitoring process, operators shall be required to file with the Commission a Master Service Agreement detailing commitments related to privacy, liability and security commitments to customers.

(2) Every licensee shall—

- (a) develop and publish delivery timelines and attendant cut off times.
- (b) publish a list of working days, clearly specifying the non-operational days in the week.

### *Liability*

(3) Operators shall maintain a claims handling policy for loss, damage or delay of delivery of postal articles in line with the guidelines highlighted in this framework. The policy shall spell out rights and responsibilities of the all parties (consumer and postal operator) in any given transaction.

(4) The licensee shall adhere to the guidelines issued by the commission in respect of liabilities and claims.

### *Security*

(5) Operators shall ensure security of the service offered through institution policies and systems to secure operational premises, eliminating prohibited items and contraband, as well as integrity of postal articles in transit.

(6) The licensee shall additionally conform to the security guidelines issued by the Commission.

### *Disclosure*

(7) A licensee or any party who in operations associated with the provision of postal services, has acquired knowledge or access to any of the following information may not, without legal authorisation, reveal or use—

- (a) information relating to postal items conveyed within the operation;
- (b) information concerning the customer including the individual person's address, telephone number and workplace.

(8) A licensee shall, upon legal request, provide information concerning suspicion of the commission of an offence to a prosecution



authority, police authority or some other authority that is bound to intervene against the offence, unless a less severe sanction than imprisonment for two years is prescribed for the offence.

### **Undeliverable postal articles**

(1) Domestic letters or other postal articles that cannot be delivered due to an undecipherable or non-existent address or post code may be opened by a licensee and where the letter or article is capable of being delivered based on information in the letter or article; the licensee shall deliver the letter or article accordingly.

(2) Where a letter or postal article opened under subparagraph (1), is incapable of being delivered, but contains the address of a sender, the licensee shall notify the sender.

(3) Every undeliverable postal article that has been opened and remains undeliverable may be kept and disposed of by the licensee as required by law or in a manner approved by the Commission.

(4) In cases of domestic courier, undeliverable items shall be kept for no less than 3 months except where they are perishable.

(5) A licensee shall on a quarterly basis furnish the Commission with a detailed list of items it has disposed (in the case of perishable items) or intends to dispose at the end of that quarter.

(6) Where a letter or postal article is opened as provided by these Guidelines, the licensee shall affix a mark on the letter or postal article indicating the—

- (a) Date and time of opening;
- (b) Period it has remained undelivered;
- (c) Contents; and
- (d) Manner in which the licensee decides to deal with the undelivered article.

(7) Where a letter or postal article is returned to the sender because of being undeliverable as addressed and the sender refuses to take delivery, the letter or postal article shall be dealt with as provided under paragraph (3).

(8) Where a licensee is satisfied that the addressee of a postal article is dead, it may—

- (a) retain the postal article and on production of the will or letters of administration to the estate of the addressee together with the written application of one or more of the executors or administrators, deliver or release the article in accordance with such request; or
- (b) treat the postal article in accordance with the provisions of this framework on undeliverable postal articles.

## **7 ENFORCEMENT AND REMEDIAL MEASURES**

(1) The following shall constitute breach under this framework—

- (a) failure to comply with the standards and requirements specified in this framework;
- (b) failure to file documents or information; keep records or submit reports to the Commissions as required under this framework;
- (c) submission or publication of false or misleading information;
- (d) obstructing, preventing or interfering with any inspection, investigation or enforcement action carried out or authorised by the Commission under any law or this framework;
- (e) committing any act or omission whose effect would be to defeat the purposes of this framework.

(2) Where a licensee has failed to meet the specified target values of a QoS parameter, the Commissions may require a detailed explanation from the Licensee of the reasons behind the Licensee's

failure to meet the specified target and detailed action plan with timelines to ensure that the necessary steps are taken to improve performance to meet the specified target.

(3) In case of repeated breach or failure to address the QoS performance shortfall, the Commission shall penalise the licensee in accordance with these Regulations.



## Technical parameters

<i>Parameter:</i> Speed of delivery				
<b>Definition:</b> The time it takes to deliver a postal article against what is promised by the service provider.	<b>Purpose:</b> To ensure that operators delivery as promised to the customer.	<b>Measure:</b> Average transmission time (in days) taken between posting and delivery of test items.	<b>Formula:</b> Average transmission time = $\frac{\sum(\text{Day} \times \text{No. of items delivered})}{\text{total items}}$	<b>Target:</b> 85% of all test items delivered within the time specified by the operator.
<b>Frequency of monitoring:</b> Quarterly	<b>Method:</b> Mail tests	<b>Scope:</b> National	<b>Reporting:</b> quarterly	

<i>Parameter:</i> Complaints resolution				
<b>Definition:</b> A documented process on how customers' complaints on loss, damage or delay of a postal article while in conveyance.	<b>Purpose:</b> Ensuring due responsibility is taken in cases of loss, damage or delay of items in transit.	<b>Measure:</b> % of recorded complaints resolved within 24 hours	<b>Formula:</b> Cases resolved/ total cases recorded.	<b>Target:</b> 85% of all test items delivered within the time specified by the operator.
<b>Frequency of monitoring:</b> Quarterly	<b>Method:</b> Mail tests	<b>Scope:</b> National	<b>Reporting:</b> quarterly	<b>Verification:</b> Follow-up calls with consumers.

*Regulations 5(4) and 6(3)*

**UGANDA 2011 DISTRICTS BY STATISTICAL SUB REGIONS**

**SUDAN**

**WEST NILE**

**MID NORTHERN**

**NORTH EAST**

**D.R. CONGO**

**MID WESTERN**

**CENTRAL**

**SOUTH WESTERN**

**TANZANIA**

**KENYA**

**Legend**

- International Boundary
- Sub Region Boundary
- District Boundary
- Water Body

0 50 100KM

The regions for the purposes of these Regulations are-

- (a) Kampala;
- (b) Central I;
- (c) Central II;
- (d) East Central;
- (e) Mid Eastern;
- (f) South Western;
- (g) Mid Western;
- (h) West Nile; and
- (i) Mid Northern.



**SCHEDULE 6**

*Regulation 8(1)*

**CRITICAL OUTAGE REPORT.**

The Uganda Communications Commission

**KAMPALA.**

**1. Contact information**

- (a) Name of operator.....
- (b) Address and contact.....
- (c) Primary contact person.....
- (d) mail.....
- (e) Phone No.....

**2. Outage information**

Type of critical outage (*tick as appropriate*)

- (a) Unplanned
- (b) Scheduled
- (c) Unscheduled

- 3. Date of incident (dd/mm/yyyy).....
- 4. Time when outage began (24-hr hh:mm).....
- 5. Status of outage at the time of filling this report.....  
.....  
.....  
.....

6. Time the outage was resolved (*if it has been resolved*):  
.....
7. Cause of the outage.....  
.....
8. Effects of the outage
- (a) Network elements affected  
.....  
.....  
.....  
.....  
.....
- (b) Affected region/area.....  
.....  
.....
- (c) Estimated proportion or number of customers affected.....  
.....  
.....
- (d) Explanation of outage duration.....  
.....  
.....  
.....  
.....  
.....

(e) Action taken and/or to be taken.....

.....  
.....  
.....  
.....

9. Declaration

I..... (*name of person with capacity to bind the operator*) declare that the information contained in this report is true, correct and accurate to the best of my knowledge and belief.

Dated this..... day of..... 20..... at .....  
(*Specify time*).

Signed.....

\_\_\_\_\_

Operator

**SCHEDULE 7**

*Regulations 9 (4) and 10 (2)*

**FORM 1**

To. ....

.....  
*(Name and address of operator)*

.....  
*(Particulars of licence issued by the Commission)*

**DIRECTION TO REMEDY BREACH**

*(Under section 48 of the Uganda Communications Act, 2013 and regulation 10 of the Uganda Communications (Quality of Service) Regulations, 2019)*

TAKE NOTICE THAT you are in breach of your obligations under the licence in respect of the quality of service required of you as an operator.

The particulars of the breach are as follows:

.....  
.....  
.....

In accordance with section 48 of the Act, you are directed to remedy the breach within ..... days from receipt of this direction.

If you do not comply, the Commission shall, after the time specified in this notice discontinue the use of the.....  
*(Communication apparatus relating to the breach)* unless you show cause to the contrary.

Dated this.....day of.....20.....

.....  
*Executive Director*  
*Uganda Communications Commission*

FORM 2

Regulation 11

To. ....

.....  
(Name and address of operator)

**FINE FOR BREACH OF QUALITY OF SERVICE TARGETS**

*(Under section 41 of the Uganda Communications Act and regulation 10 of the Uganda Communications (Quality of Service) Regulations, 2019)*

TAKE NOTICE that you are in breach of your obligations under the licence in respect of the quality of service required of you as an Operator.

(State breach here) .....  
.....  
.....

In accordance with section 41(2) (b) of the Uganda Commission Act, 2013 you are directed to pay a fine of ..... being...% of your gross annual revenue.

Dated this.....day of.....20.....

.....  
*Executive Director*

*Uganda Communications Commission*

**SCHEDULE 8***Regulation 10 (3)***CALCULATION OF FINES**

Fines shall be calculated on the basis of the Gross Annual Revenue for the preceding year for each quality of service target, for each reporting region and in respect of each reporting period (quarter) for contravention of these Regulations by an operator as follows:

No.	NATURE OF BREACH	Fine in as % of Gross Annual Revenue
1	Failure to perform the measurements as required under regulation 5	0.05
2	Failure to achieve the quality of service parameters under regulation 5	up to 10% of Gross Annual Revenue
(a)	Service activation or provisioning time	0.01
(b)	Service restoration time	0.01
(c)	Network availability	0.05
(d)	Blocked call rate	0.05
(e)	Call setup time	0.05
(f)	Dropped call rate	0.05
(g)	Good call quality	0.01
(h)	SMS completion rate	0.01
(i)	Point of interconnect blocking	0.05
3	Failure to comply with direction to remedy a breach; 0.1 (0.01% per day for each day that the contravention continues)	
4	Failure to submit reports or submits falsified reports under regulation 6;	0.1

5	Obstructing or preventing the Commission from conducting quality of service: (a) Investigation; (b) Inspection; (c) Audit; or (d) Measurement	0.5
6	Failure to achieve the same quality of service parameter for 2 consecutive quarters	0.1
7	Failure to achieve the same quality of service parameter for 3 consecutive quarters	0.5
8	Failure to achieve the same quality of service parameter for 4 consecutive quarters	0.75

**Frank Tumwebaze**  
*Minister of Information and Communications  
Technology and National Guidance*