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FINAL DRAFT

TELECOMMUNICATIONS LICENSING REGULATIONS 2019

NATIONAL TELECOMMUNICATIONS COMMISSION
(NATCOM)

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In exercise of the powers conferred upon it by Section 82 of the Telecommunications Act 2006 (as amended) of the Republic of Sierra Leone, the National Telecommunications Commission (NATCOM) hereby makes the following Regulations as statutory instrument:

PART I: PRELIMINARY PROVISIONS

Title

1. These Regulations may be cited as the Telecommunications Licensing Regulations of 2019.

Definitions

2. The terms and expressions used in these Regulations, which are defined in the Act, shall have the same meaning unless the context requires otherwise.

“Act”	means the Sierra Leone Telecommunications Act 2006 as amended;
“Business purpose”	means an objective that supports or advances the business goals and missions of a company;
“CCITT”	means Consultative Committee for International Telephony and Telegraphy;
“coverage area”	means the area in which a communications service is intended to be received;
"Digital"	means any type of information that can be output, transmitted and interpreted as individual bits of binary information (the use of the numbers 0 and 1), using electrical or electromagnetic signals that can be modulated to convey their specific content;
“Gateway”	any mechanism for providing access to another network;
“Gazette”	means the Sierra Leone Gazette;
“Infrastructure”	means any structure or facility installed and maintained for the purpose of providing a public utility service;
“Interconnection”	means the physical connection of separate telephone networks to allow users of those networks to communicate with each other; interconnection ensures interoperability of services and increases end users’ choice of network operators and service

	providers;
“International gateway”	means any facility through which electronic communications can be sent between the domestic networks of one country and another;
“Internet”	interconnected global networks that use the Internet Protocol;
“Interoperability”	means the ability of equipment to function, first with the network, and second, with other terminal equipment that can be used to access the same service;
“Licence”	means a written authorisation granted by the Commission under the Act;
“Licensee	means the holder of a licence issued under the Act;
“Resale”	means offering end-users or customers, for profit, telecommunications services obtained from another telecommunications operator or service provider;
“Service providers”	means all service providers offering telecommunication services or some combination of information and media services, content, entertainment and applications services over networks, leveraging the network infrastructure as a rich, functional platform;
“Station”	means a transmitter, receiver, a combination of transmitters and receivers, or any accessory thereto, which is used or intended to be used for radio communications;
“Subscriber”	means any person or entity who has entered into a contract with an authorised provider of a communications service in order to obtain any communications services;
“Telecommunications network”	any installation or group of installations that provides for the transmission or routing of telecommunications signals, and for the exchange of control and management information relating thereto, between the network’s termination points;
“Telecommunications service”	means a service, usually provided on a fee-paying basis, that consists wholly or primarily of transmitting or routing signals over telecommunications networks, or a combination of those functions, including transmission services over networks used for broadcasting, but which excludes services consisting of providing content with the aid of telecommunications networks or services, or of exercising editorial responsibility with respect to such content. It includes a closed user group service, a private telecommunications service, a public telecommunications service, and a radio communications service;
“Value-added services”	means telecommunication services provided over public or private networks which, in some way, add value to the basic carriage, usually through the application of computerized

intelligence;
“Website” means the entire collection of HTML files that are accessible through a domain name.

Scope of Application

3. These Regulations apply to:
 - a. the process of granting business licenses and authorisations for telecommunications, broadband communications and ancillary services in Sierra Leone;
 - b. the enforcement of license conditions of telecommunications operators or broadband service providers; and
 - c. the use and operation of networks, systems, equipment or apparatus and the provision of telecommunications and broadband services.
4. In applying and implementing these Regulations, the Commission shall take into account other Regulations that have been issued pertaining to aspects that have been treated in detail in such other regulations and guidelines. These include but not limited to the following Regulations on:
 - a. Management of Radio Frequency Spectrum
 - b. Type Approval of Electronic Communications Equipment
 - c. Quality of Services
 - d. Access and Interconnection
 - e. Infrastructure Sharing and Colocations
 - f. Management of Numbering Resources
 - g. Tariffs
 - h. International Gateway
 - i. Competition
 - j. Consumer Code of Practice
 - k. Value Added Services
 - l. Mobile Number Portability
 - m. Subscriber Identification and Registration Management
5. The objectives of these Regulations are:
 - a. to promote fair competition, transparency in licensing procedures, technical standards and compliance with essential requirements by setting out rights and obligations of licensees and providers of telecommunications networks, infrastructure facilities or services;
 - b. to create a harmonised and interoperable nationwide telecommunications network;

- c. to promote an optimal approach to infrastructure development, through the expansion of networks and services by multiple players in the sector;
- d. to provide the legal basis for the implementation of information and communications sector reform policies;
- e. to establish a transparent regulatory framework for the transformation and operation of a national electronic communications network that delivers efficient, effective, reliable and affordable services;
- f. to facilitate and regulate the development of a nation-wide viable communications network for the provision of universal communications services and the fulfilment of the public interest social and economic objectives of the Act and consumer satisfaction;
- g. to provide a conducive environment for greater product choice, more competitive pricing, higher standards of service and greater innovation in the range of telecommunications services and products made available to the public through competition; and
- h. to adopt a consumer-oriented approach that focuses on delivery of quality services at reasonable and affordable costs.

PART 2: LICENSING REGULATIONS

Types of Licenses

6. The Commission shall issue:
 - (i) Individual Licenses;
 - (ii) Class Licenses;
 - (iii) Individual Licenses shall be either Infrastructure-Based Licenses or Service-Based Licenses; and
 - (iv) Individual licenses require the stipulation of specific terms and conditions for assigning the license to a licensee, where class licenses allow licensees to operate under a general set of terms and conditions of operation.
7. The processes for the application and issuance of individual licenses shall differ from those of Class Licenses.
8. Class Licenses shall be strictly service-based, and operators licensed under this regime shall not be permitted to build or operate communications networks or be assigned spectrum frequencies.

Categories of Individual Licenses

9. There shall be three categories of Individual Licenses:
 - i. Infrastructure-Only Individual License
 - ii. Infrastructure-Based Individual License
 - iii. Service-Based Individual License

Infrastructure-Only Individual License

10. Infrastructure-only Individual Licenses shall permit licensees to build, own and operate communications network infrastructure, for delivering such services to individual licensees as well as class licensees.
11. Except where the Commission deems it not, feasible for other licensed operators to deliver such services in a reasonable or profitable manner, infrastructure-only licensees shall be prohibited from delivering any form of service to end-users; and shall limit their operations in the market to only licensed operators.
12. Infrastructure-only licenses shall be granted to persons or organisations that deliver essential services such as terrestrial and sub-marine fibre-optic cables, cable landing stations, multi-tenant communications towers, international fibre-optic cable, telecommunications exchanges and earth satellite stations.

Infrastructure-Based Individual License

13. An Infrastructure-based Individual License shall enable a provider of communications services to build, own and operate an electronic communications network, system or facility primarily for its own use in delivering services to its end-user customers
14. Infrastructure based individual licensees may offer infrastructure services to other players in the market, including other infrastructure-based licensees; service based individual licensees and class licensees.
15. The license enables the operator to own and operate the following types of facilities with nationwide coverage:
 - a. fixed telecommunications systems like exchanges, fibres, ducts, submarine cables, landing stations, cable and satellite international gateways needed to offer local and international voice, data and leased circuit services;
 - b. mobile communication systems like base stations, public mobile switching systems, microwave radios and mobile data systems;
 - c. any terrestrial electronic communications infrastructure for the carriage of electronic communications traffic; and
 - d. international communications gateways via satellite or submarine fibre optic cables

Service-Based Individual License

16. A Service-based Individual License shall be issued to a provider of communications services, and such license shall permit them to build, own and operate electronic communications network, system or facility for its own use in delivering services to its end-user customers.
17. Service based individual licensees shall be granted a limited scope to build a network and be granted a limited scope of radio frequency spectrum and other scarce resources.
18. The scope of permissible facilities shall be specified in the specific terms and conditions of license issued to a service-based individual licensee
19. For infrastructure needs beyond that which is stipulated in the specific terms of their licenses, service based individual licensees shall be required to negotiate infrastructure service contracts from infrastructure-only or infrastructure-based individual licensees.

Class Licenses

20. Class licenses shall be issued to business to communications services that propose to deliver their portfolio of services through simple resale of existing services of individual licensees or through value-added products and services that are derived from services offered by individual licensees.
21. Class licensees shall not be assigned licensed radio frequency spectrum resources; and shall enter into agreements with individual licensees for spectrum resources on agreed terms and conditions.

Permissible Services

22. Except where expressly permitted by the Commission, infrastructure-only licensees shall deliver infrastructure services required for electronic communications services to other licensees only, and such services shall not be delivered to end-user customers in the market.
23. Subject to Section 10, where an infrastructure-only licensee is permitted to deliver services directly to end-user customers, the Commission shall provide details of specific groups or segments with justifications of why such services would otherwise not be delivered by operators licensed to deliver communications services to that specific group or segment of customers.
24. Where the Commission grants permission to deliver to end-user markets, such permits shall be issued with specific terms and conditions.

25. Infrastructure-based individual licensees shall provide the following range of services either directly, or through resellers:

- a. public switched telephone services;
- b. public switched message services;
- c. public switched integrated digital network services;
- d. leased circuit services;
- e. public switched data services;
- f. public cellular mobile telephone services;
- g. public radio-communication services;
- h. public radio paging services;
- i. public trunked radio services;
- j. public mobile data services;
- k. public mobile broadband and multimedia services;
- l. public fixed-wireless broadband multimedia services;
- m. data centre services;
- n. public digital television spectrum management; and
- o. value added communication services.

26. Service-based individual licensees shall be permitted to provide the following range of services either directly, or through resellers:

- a. public fixed-wireless broadband multimedia services;
- b. public switched voice over internet services;
- c. public cellular mobile telephone simple resale services (virtual network operator);
- d. public mobile data resale services (virtual network operator);
- e. public mobile broadband and multimedia resale services (virtual network operator);
- f. simple resale of public switched message services;
- g. public switched digital television aggregation services (IP-TV services);
- h. store and forward value-added network services;
- i. bandwidth capacity exchange operation;
- j. live audio text services public internet exchange services
- k. data centre services; and
- l. value added communications services.

27. Class licensees shall be permitted to provide the following range of services directly to end-users in the market:

- a. public fixed-wireless broadband and multimedia services;
- b. simple/value-added resale of public switched telephone services;
- c. simple/value-added resale of public switched message services;

- d. simple/value-added resale of public switched integrated digital network services;
- e. simple/value-added resale of public switched data services;
- f. simple/value-added resale of public cellular mobile telephone services;
- g. simple/value-added resale of public radio-communication services;
- h. simple/value-added resale of public radio paging services;
- i. simple/value-added resale of public trunked radio services;
- j. simple/value-added resale of public mobile data services;
- k. simple/value-added resale of public mobile broadband and multimedia services;
- l. simple/value-added resale of public fixed-wireless broadband multimedia services;
- m. simple/value-added resale of data centre services; and
- n. simple/value-added resale of public switched digital television services.

Certification Regimes

28. The following categories of businesses shall not require licensing, but shall be required to submit applications for authorisation to carry out the business within Sierra Leone:
- a. Operation of FM Radio Stations;
 - b. Operation of Television Broadcasting Stations;
 - c. Importation and Dealership of Radio Transceiver Terminal Equipment (RTTE); and
 - d. Operation of VHF Radio services.
29. The format for requesting authorisation of operations for the above categories of services is provided in Schedule 3 to these Regulations.

Declaration Regimes

30. Individuals or organisations offering the following type of services within Sierra Leone shall not require authorisation, but shall notify the Commission of their business operations, by completing the Business Declaration Form and submitting to the Commission:
- a. Installation of FM Radio Stations, Satellite TV and Fixed Wireless Internet equipment;
 - b. Retail trading of Mobile Handsets and Broadband Internet Access Points/Routers;
 - c. Mobile Top-Up Master/Super Agents;
 - d. Management contractors for individual license holders (infrastructure, networks systems, billing and call centre management);
 - e. Internet content developers;
 - f. Digital advertising services;
 - g. Web hosting and data centre services;
 - h. LAN and private network services;
 - i. Electronic and interactive transaction services; and
 - j. Networked advertising boards.

31. The format for submitting a declaration of business operations for the above categories of services is provided in Schedule 3 to these Regulations.

Classification of Existing Licensees

32. At the time of entry into force of these Regulations, all existing licensed operators in the electronic communications industry shall be placed under one of the license categories defined in Sections 9 and 20 of these Regulations; and the terms and conditions of such licenses shall be binding on such operators after one-hundred and eighty (180) days.

Service Hierarchy

33. All operators classified as or hereinafter issued Individual Licenses, shall deliver all forms of communications services deemed complementary to their existing portfolio, and serving the overall objectives of providing electronic communications services in a competitive manner.
34. Unless explicitly restricted by the terms and conditions of the license, Individual Licensees are permitted to deliver all services that are derived from their core business services as well as to provide leased services to class licensees or other resellers to deliver such services to end users on agreed terms and conditions.

Application Process for Business License

35. An application for a telecommunications business licence shall be made in the format described in Schedule 4 to these Regulations. An application for modification or renewal of an existing telecommunications licence shall be made in the format described in Schedule 4 to these regulations.
36. The application documents may be submitted in hard copy and delivered to any of the Commissions business offices, or via post to the Commission's P.O. Box 121.
37. Applicants can also complete the application form available on the Commission's web portal, which is available via its website (www.natcom.gov.sl), attaching copies of the required supporting documents.

Acknowledgement of License Applications

38. The Commission shall acknowledge receipt of Applications for License within a period of seven (7) working days from the date of submission. The acknowledgement will provide an indication of timelines taken to process the application.
39. Where an application is deemed incomplete or non-compliant, the Commission shall inform the applicant within seven (7) working days, to enable them complete and comply with the application requirements.

Licenses with Tender Requirements

40. From the date of these Regulations, the Commission may determine whether the issuance of additional licenses to operate and provide the following categories of electronic communications services shall be done following public invitation by the Commission and such invitation shall be implemented through a tender process:
- a. Fixed public switched telecommunications services that requires significant use of terrestrial rights of way and numbering resources;
 - b. Mobile cellular telecommunications services that requires significant use of spectrum and numbering resources;
 - c. International telecommunications gateway services;
 - d. Public switched digital television spectrum management services; and
 - e. Any other electronic communications service that will be notified by the Commission.

Considerations Prior to Tender

41. Prior to making a decision to invite tenders of licenses in the above categories, the Commission shall determine whether the general public interest, socio-economic benefits to the country, justified interest of existing operators, and overall necessity shall be served by granting an additional licence. The basis and justification of such a determination shall be published in an Official Memorandum to enable public dialogue on the underlying justifications.
42. The final decision on whether to proceed with such a tender shall be made by the board of Directors in collaboration with supervising Ministry.

Tender Process

43. Where a determination is made that a tender process, the Commission, must precede the issuance of a license shall use a public notice to tender for and invite bids for a licence using the competitive bidding method of selection.
44. The Commission may restrict a tender for an individual license to existing licensees, where it believes it will be economically beneficial and does not compromise the fundamental objectives of the solicitation for bids.
45. The public notice shall state the appropriate competitive bidding methodology, which shall include auctions, price or quality-based evaluations and other criteria.
46. The public notice shall include key information on the tender and shall at the minimum include:

- a. the telecommunications operations and services in respect of which applications are invited;
- b. the service area, relevant technical parameters, technical, legal and financial requirements to compete for selection;
- c. the selection method or type of auction;
- d. the reserve price (if applicable);
- e. the entry fee for bidders;
- f. the deposit payable by a successful bidder;
- g. the method of payment for a licence; and
- h. the form in which applications shall be submitted, the place where and time or period within which application forms may be obtained and submitted.

Applications for Other Licenses

47. For Class Licenses or Individual Licenses that do not require a tender process, the Commission shall accept and assess license applications on a continuous basis.
48. The Commission shall, in assessing an application for a licence or an application for modification or renewal of a licence, consider the following criteria:
 - a) eligibility of the applicant as defined in the Act;
 - b) capability of the applicant, based on previous experience as an entity or the joint experience of the management team;
 - c) policy objectives under the Act; and
 - d) public interest to be served.
49. A licence shall be issued based on the merit of an application and the Commission shall evaluate an application, based on the applicant's:
 - a) commitment to developing and sustaining investments in Sierra Leone's communication sector;
 - b) ability to deliver the proposed service and infrastructure commitments; and
 - c) commitment to complying with quality of service standards described in the Quality of Service Regulations.
50. The Commission shall in determining the merits of an application consider:
 - a) the business objectives and operating targets of an applicant as written in their application for license;
 - b) the organisational structure and financial capability and strength of the applicant, as stated in their investment plan;
 - c) the applicant's competition strategies for the provision of services,
 - d) the technical soundness of the applicant's plans and the feasibility of implementing the plans;
 - e) the benefits that will be brought by the applicant to the industry, users and the Sierra Leone economy as a whole, in terms of investment, enhancement of the telecommunications infrastructure, capacity, capability and connectivity;
 - f) the level of technological and service innovation and responsiveness, the range and choice of products and services offerings, competitive pricing, the level of quality of service; and level of customer service support; and

- g) limitations of available natural resources such as spectrum and numbering, if required in the application.

51. A person interested in obtaining a service-based operator class licence shall, upon payment of the prescribed license fee, be registered with the Commission before providing the stipulated type of services.

Rejection of License Applications

52. The Commission may grant or reject an application for a licence within ninety (90) days of receiving an application.

53. Within thirty (30) calendar days of receiving the application, the Commission may request further details or information in respect of an application.

54. The evaluation criteria for determining eligibility for granting or rejecting a license application will be based on objective criteria made known to an applicant in advance.

55. On completion of the evaluation process, the Commission shall notify the successful or unsuccessful applicant of the results of the application accordingly in writing, and in the case of unsuccessful applicants, giving reasons why the application was rejected.

Conditions for Refusal of License

56. The Commission may refuse to accept a registration for a licence if:

- (a) the applicant has failed to comply with the minimum evaluation requirements or the terms and conditions of the licence;
- (b) the application documentation does not contain the information prescribed by the Commission;
- (c) the applicant is in contravention of the Act or the related legislation in relation to other licences that the applicant may hold; or
- (d) the registration contains false or misleading information, or misrepresentations of fact.

Infrastructure Licensing

57. The Commission shall provide individual infrastructure licenses for the development communications infrastructure that support multi-tenancy by other licensees. The purpose of such licenses is to promote principles of equal and non-discriminatory access and minimise duplications of infrastructure investments

58. The license shall include additional terms and conditions for building and operating infrastructure such as communications towers, fibre optic cables, landing stations and communication exchanges.

59. These terms and conditions shall provide general standards for building such infrastructure. The terms and conditions are to ensure that:
- a) Undue duplication of infrastructure investments is prevented, since the capital expenditures will invariably be amortised through revenues, which have implications on tariffs and service charges; and
 - b) Multiple licensed operators are guarantee access to essential facilities without compromising the technical integrity, while minimising the environmental impacts of the infrastructure developments.
60. In the case of Infrastructure-based Individual licensees, the Commission shall take a view that recognises the licensee's infrastructure investments as part of its wider competitive strategy. The Commission will also balance the need to promote open access to infrastructure by all operators on the one hand, with the interests of the licensee that has committed substantial resources into building the infrastructure on the other.
61. The Commission shall develop standards and guidelines for the development various categories of communications infrastructure and facilities. The guidelines are included as Schedule 1 to these Regulations.

Infrastructure Access and Co-Location Terms

62. Whereas the Act provides that licensed operators be required to provide access to their infrastructure in a fair and non-discriminatory manner, these Regulations provide further terms for which such access by an infrastructure-based individual licensee can granted to another individual infrastructure-based or service-based licensee.
63. These Regulations are further developed to protect the interests of licensees that have invested substantially in the public communications network infrastructure against opportunistic commercial practices of others that do not invest at such a scale.
64. An individual infrastructure licensed operator operating as a monopoly shall not refuse access to use of the infrastructure by other individual or class licensed operator.
65. An individual infrastructure licensed operator that is doing business in a competitive sector, who makes substantial infrastructure investments as part of its wider competitive strategy, shall have the right to restrict access to its infrastructure to competitors in the same segment for a maximum period of 1 year.
66. Without prejudice to Section 65, operators shall be required to enter into constructive negotiations to share and swap co-location on essential infrastructure. Such infrastructure swapping arrangement shall require an operator to provide co-location services to another other licensed operator to the magnitude that the counterparty

provides co-location services to that operator or to pay commercially fair prices, based on investment and operating cost-orientations.

67. Where a requesting party requires more facilities than that which it offers in a facility swapping arrangement, the providing party reserves the right to refuse co-location access or state the commercial terms at which it provides access to its infrastructure to the requesting party.
68. The Commission shall intervene to require co-location where an operator has exhausted a period of 3 years of exclusive use of infrastructure, and it determines that (i) such exclusivity will lead to an unnecessary duplication of infrastructure and (ii) co-location or access to such infrastructure will not necessarily disadvantage the owner of the infrastructure in the market.

Process for Co-Location Requests

69. Upon request from a licensee, the infrastructure provider shall provide the requesting party with a commercial offer for infrastructure co-location, providing relevant details and substantial information to facilitate a feasibility study on its facilities to implement the infrastructure sharing.
70. The infrastructure provider must provide the requesting party with the information under subsection 60 within thirty (30) days from receiving a request.
71. An infrastructure provider may only refuse the co-location or sharing of network facilities on legitimate grounds, such as:
 - (a) the infrastructure provider would be commercially prejudiced in view of the infrastructure serving a strategic competitive advantage;
 - (b) the request of co-location or infrastructure sharing is unreasonable;
 - (c) the space available is not sufficient to implement a co-location;
 - (d) the infrastructure sharing would challenge the capacity provided through the infrastructure, leading to harmful interferences; or
 - (e) the infrastructure sharing would cause irreparable damage to the property or the interoperability of the infrastructure.
72. A refusal under subsection 71(c) must be made in writing and must state the reasons for the decision.

Rights to Spectrum Resources

73. The award of a business license grants the licensee the right to be allocated suitable dedicated spectrum resources to support its full range of services to be delivered in the market. Without prejudice to the rights of the operator in this regard, the due process for application for Spectrum resources as laid down in the Regulations on Licensing and Administration of Radio Frequency Spectrum shall be duly followed.

Application for Spectrum

74. The application for and granting of spectrum resources for operating the license granted under these Regulations shall follow the provisions of the *Radio Frequency Spectrum Management Regulations of 2019*.

PART 3: GENERAL CONDITIONS OF LICENSE

75. The general conditions of license shall form part of the License conditions issued to Individual and Class Licensees. In the case of Individual Licenses, there shall be additional Specific Conditions of service. In the case of Class Licenses, these General Conditions of License shall be the complete set of applicable regulatory terms and conditions.

Permissible Services and Technologies

76. A telecommunications licence shall authorise a licensee to provide a specific set of services. The services may be similar to or more than those defined in Section – above and shall be listed in the body of that license. The license shall also grant permission to the licensee to utilise any technology and equipment it deems fit to delivery such services. Without prejudice to these terms, all equipment to be imported for use on the licensee’s network must receive prior Type Approval certification.

Mandatory Geographical Coverage Targets

77. A telecommunications licence shall specify the geographical areas within which the licensed services may be delivered, including mandatory minimum coverage levels for commencement and targets for expansion over a specified period. In determining mandatory coverage targets, the Commission shall take into consideration:
- i. The applicant’s business plan;
 - ii. Areas that have been covered with network infrastructure such as communication towers and fibre optic cables by other licensees; and
 - iii. Universal access objectives of reaching unserved or underserved areas of the country.

Universal Access

78. A communications license shall clearly stipulate the Universal Service obligations of the licensee in terms of its contributions to the Universal Access Development Fund. It shall also include the privileges of the licensee to benefit from subsidies from the Universal Access Development Fund wherein it makes unsustainable losses to implement projects that support the Universal Service goals. The license shall refer to the operating policies of the Universal Access Development Fund for clarifications on the processes involved therein.

Tariffs

79. A telecommunications licence shall require a licensee to comply with specified standards of the licensed services as well as criteria for setting its tariffs for the various licensed services. The *Regulations on Tariffs* shall apply during the operation of the business, as it pertains to the review of service tariffs.

Access and Interconnection

80. A telecommunications licence shall require a licensee to comply with specified standards of the licensed services as well as requirements for interconnecting their network systems with other licensed operations. The *Regulations on Access and Interconnection of Telecommunications Networks* shall apply during the operation of the business, as it pertains to the terms and conditions of interconnection.

Term and Renewal

81. A telecommunications licence shall specify the period of validity of the license, during which specified period the terms and conditions of the license remain in force, and conditions for renewal by the Commission.

Anti-Competitive Prohibitions

82. A license shall clearly stipulate that an operator shall not engage in anti-competitive acts or acts in breach of fair competition and it shall be a condition in a licence to comply with the fair competition rules stipulated in the Act and the *Regulations on Competition*.

Renewal or Modification of License

83. In assessing the merits for the renewal or modification of existing licenses, the Commission shall consider the following:
- i. Level of compliance with the terms and conditions of license during validity period; where such compliance shall be measured in terms of violations of quality of services, universal access obligations, tariffs and customer services; and

- ii. Ability to achieve its strategic objectives in terms of investments, service scope, coverage, employment and other stated benefits stated in its original application licenses.

License and Certification Register

84. The Commission shall maintain a register of all licenses and authorisations for providers of ICT services. The register shall be publicly available via Government Gazette and the Commission's website. The format for publication of the Register of Licenses and Authorised ICT service providers shall be provided by the Commission

License Fees

85. The fees for various categories of licenses are published in Schedule 2 of these Regulations. The Commission shall, from time to time, review, update and publish the schedule of fees.

Assignment of Numbering Resources

86. A telecommunications licence shall require a licensee to comply with criteria for use of numbering resources for service delivery. The **Regulations on Numbering Resource Management of 2019** shall apply during the operation of the business.

Quality of Services

87. A telecommunications licence shall require a licensee to comply with minimum standards for quality of services delivered to its customers. The **Regulations on Telecommunications Quality of Services of 2019** shall apply during the operation of the business.

Equipment Type Approval

88. A telecommunications licensee intending to import electronic communications equipment for use on its network and as subscriber devices, shall be required to secure Type Approval certification for all such equipment, except such equipment for which a waiver has been granted. The **Regulations on Electronic Communications Equipment Type Approval of 2019** shall apply during the operation of the business.

PART 4: MISCELLENEOUS

Reviews and Amendments

89. (1) The Commission shall amend and modify these Regulations or any part thereof, at any time, if the Commission deems it necessary.

(2) Amendments to these Regulations shall be made in accordance with:

- a. the needs and changes in national priorities and Government policies including international treaties, commitments, standards or laws;
- b. emerging issues of national security;
- c. changes and advancement in technology; and
- d. the determination of the Commission to vary or repeal any portion of these Regulations.

SCHEDULES

Schedule 1: Guidelines for Permits for Construction of Communication Towers and Deployment of Terrestrial Fibre Optic Cable Infrastructure

Objectives

1. The main objectives of these Guidelines are as follows:
 - a. Provide clear standards and procedures for the installation of towers and also address the issues of environmental impact, sustainability and aesthetic sanity
 - b. Formulate cost-effective and efficient mechanisms to address administrative and bureaucratic bottlenecks faced by licensed operators.
 - c. Design a fair and open cost-based fee structure that would ensure that all licensed operators are charged fairly by the relevant permitting authorities.
 - d. Facilitate the development of infrastructure to enhance the delivery of quality service and also promote the provision of competitive and affordable services nationwide.

General Considerations

2. The Commission in developing these regulations, considered all relevant laws and secondary regulations of Government Ministries, Departments and Agencies involved in the process of providing permits for the development of communications infrastructure and is pursuing the following:
 - a. An institutionalised a one-stop-shop mechanism anchored by the Commission, with defined application and approval procedures; harmonised Government permit fees structures; and effective monitoring and enforcement.

- b. Promoting public awareness and education on the processes for development of communications infrastructure; and
- c. Encouraging co-location and sharing of infrastructure to reduce the proliferation and undue duplication of towers and other forms of infrastructure.

Application and Permit Processing Channel for Construction of New Towers

- 3. All applications for the construction of new communication towers shall be submitted through the Commission; and such application shall include all the relevant information required by the various Government Departments and Agencies involved in providing approvals for construction of towers.

Relevant Government Ministries, Departments and Agencies

- 4. The following Government MDAs are relevant and shall be required to grant approvals in the permitting of communications towers:
 - a. National Civil Aviation Authority
 - b. Environmental Protection Agency
 - c. Petroleum Directorate (for off-grid sites that will require storage of large volumes of fossil fuels)
 - d. Sierra Leone Roads Authority
 - e. Municipal or Local Government Body

Requirements of Government MDAs in Approval Process

- 5. The Commission shall compile a concise list of information requirements and rules for construction of various types of communications infrastructure to help applicants provide all relevant information in a single application process. The information shall also include schedules of applicable fees to allow a single payment of all fees in the application process.

Application Submission

- 6. The application submitted shall include the following information:
 - a. The completed application Form
 - b. The location and GPS coordinates of the proposed site
 - c. Proximity (if applicable) to high voltage power lines of 11Kv and above. The minimum distance of a tower from a high voltage line shall be 1.5 times the proposed height of the tower

- d. Manufacturing specifications and technical data on tower fabrication parameters
- e. Technical design details of construction area including plot size, engineering drawings, description of the tower locating community whether urban, rural, residential, industrial, commercial or uninhabited
- f. Description of the tower, whether it is a guided tower, rooftop tower or self-supporting tower
- g. Co-location rejection statement by a site owner within stipulated distance of proposed tower site
- h. Evidence of payment of all applicable permit fees, which shall be communicated to the applicant by the Commission
- i. Information required by other Government MDAs involved in issuance of permits for construction of communication towers

Application Processing

7. The Commission shall be the receiving and/or collection points for all Government permits in respect of the construction of towers after the requisite approvals have been obtained from the various Government bodies
8. The Commission shall verify all submitted documents at the time of submission for completeness and compliance and shall notify the applicant within 3 business days of the outcome of the verification
9. Where the documentation is deemed to be incomplete or non-compliant, the applicant shall be informed within three (3) business days to enable them to comply with the application requirements
10. Where any further information and/or site visit is required, the MDAs shall notify the applicant concerned within three (3) days prior to the intended visit.
11. The Commission shall work in collaboration with the relevant MDAs to review the application and communicate final response to the applicant within a maximum period of ninety (90) days from the date of submission.
12. An applicant who provides false information in an application for permit shall be sanctioned in accordance with the relevant laws.

Refusal and Rights of Appeal

13. Where an application to construct a tower is refused, the applicant may appeal the decision of the Commission and/or other Government MDAs, within fourteen (14) days from the date of receipt of the decision, to an Infrastructure Appellate

Committee, which shall be established by the Minister of Information and Communications.

14. The Infrastructure Appellate Committee shall within thirty (30) days after receiving a petition, decide on the petition and shall inform the Commission and the applicant concerned of its decision within seven (7) days of making the decision.
15. An applicant dissatisfied with the decision of the Infrastructure Appellate Committee may within thirty (30) days of being informed of that decision, appeal to the High Court for judicial review of the decision.

Construction of New Towers

16. A licensee who intends to construct a tower in a particular location must demonstrate that all reasonable steps have been taken to investigate the possibility of getting access to tower sharing and co-location to an existing tower before applying to for permits to construct a new tower within a specified radius of 500m of the proposed site.
17. Where tower heights are shorter, a smaller search radius can be used as follows:
 - a. For two towers above 40m to be located, a radius of 400m shall apply;
 - b. For two towers below 40m towers, a radius of 300m shall apply.
18. Where it is not technically feasible to get access to tower sharing, a written document, which indicates the reason why co-location is not granted, shall be supplied by the site owner within (3) business days to the applicant. The applicant shall submit the co-location rejection statement as part of its supporting documents to apply for permit to construct a new site.

Database of Towers

19. All licensees owning and operating communication towers shall be required to maintain a database of all such towers, and to provide the updated information to the Commission. The database shall, at a minimum, include the following details:
 - a. Tower ID
 - b. Location (City/Town/Village/Zone)
 - c. GPS Coordinates
 - d. Tower Height
 - e. Tower Description
 - f. Manufacturer
 - g. Co-location partners

Construction of Terrestrial Fibre Optic Cable Networks

20. A licensee who intends to construct a terrestrial fibre optic cable network must demonstrate that all reasonable steps are taken to investigate the possibility of getting access to the cable network infrastructure before applying for permits to construct a new fibre optic cable routes alongside the current deployment.
21. Where deployed cable infrastructure is for purposes different from that which the applicant is requesting permits:
 - a. it is permissible to deploy access-layer cable networks along the routes where cable assets serve transmission-only purposes
 - b. where the logical network of the existing cable does not permit easy integration with the applicant's network
22. Where it is not technically feasible to get access to an existing cable infrastructure along the proposed route of deployment, a written document, which indicates the reason why access is not granted, shall be supplied by the existing cable owner within (30) working days to the applicant. The applicant shall submit the rejection statement as part of their supporting documents to apply for permit to construct a new terrestrial cable infrastructure.

Database of Terrestrial Fibre Optic Cable Assets

23. All licensees owning and operating terrestrial fibre optic cable networks shall be required to maintain a database of all such infrastructure, and to provide the updated information to the Commission. The database shall, at a minimum, include the following details:
 - a. Route maps of the deployed cables
 - b. Type of deployments (urban/metro or intercity/cross-border)
 - c. Purpose of various segments (transmission, distribution, access)
 - d. Nature of deployment (sub-terranean or aerial or mixed)
 - e. No of fibre pairs/strands

Structural Guidelines for Design and Construction of Communication Towers

24. The structural specifications for construction of towers are as stipulated in Appendix 1 of these Guidelines.
25. The design of structures for towers shall be determined by the Landscape on which it shall be located. There are three broad classification of geographical landscapes.
 - a. Exposed smooth terrain with virtually no obstructions and in which the height of any obstructions is less than 1.5m. This category includes open seacoasts, lakeshores and flat, treeless plains with little vegetation other than short grass.

- b. Open terrain with widely spaced obstructions (100m apart) having heights and plan dimensions generally between 1.5m and 10m. This category includes large airfields, open parkland or farmlands and undeveloped outskirts of towns and suburbs with few trees.
 - c. Terrain having numerous closely spaced obstructions generally the size of domestic and high-rise buildings. This category includes wooded areas and suburbs, towns and industrial areas, fully or substantially developed.
26. In designing towers, wind loading shall be the predominant dynamic loading to be considered outside dead weights since severe environmental conditions that lead to additional seasonally variable loads are non-existent. Wind load rating shall be based on the height of the tower and where it is located.
27. The design of towers shall provide for specific conditions that might exceed the standard values specified in these Guidelines.
28. The design philosophy shall be based on two limiting factors: strength limit, which considers the loading of a tower under extreme conditions and serviceability limit, which ensures that the tower will provide the proper service under normal conditions.
29. The loading on a tower shall be analysed under wind, soil and seismic conditions.
30. The wind effect on a tower shall take cognisance of a number of external conditions that may change the dynamics of the wind, such as terrain, gusts, the method of wind-speed determination and the value of safety factors needed for a specific tower type.
31. A proportionate amount of tolerance must be applied to take care of the safety issue, which defines the impact a failure would have on the operational integrity of a tower, human life and property.
32. The design of the structure shall incorporate the gust factor to account for the varying nature of wind.
33. The calculation of wind speed shall be based upon information provided in the Wind Flow Map of Sierra Leone from the National Meteorological Department.
34. The expected service life of a tower shall be a minimum of fifteen (15) years.
35. The design, fabrication materials and methods, installation accessories, safety factor and tower loadings shall conform to standards and last for the expected service life of a tower.
36. A base station, in built-up areas, may have a solar power and/or a generator, as a secondary source of power. Where a generator is used, it must be:

- a. sited at least five (5) meters away from all properties utilised as accommodation, excluding the fence;
- b. soundproof and comply with all permissible sound levels prescribed by EPA, who shall carry out periodic (annual) noise monitoring;
- c. installed on good shock absorbers to minimize vibrations to the barest minimum;
- d. installed with its exhaust directed away from any occupied residential property; and
- e. installed with the appropriate mufflers and silencers.

Discontinuation of Use of Towers

37. In the event that the owner discontinues the use of a tower, the owner shall file a written notice of its intent to discontinue the use of the tower and the date of the said discontinuance to the Commission.
38. The owner shall remove the decommissioned tower within sixty (60) days after the date of discontinuance of use, failing which it shall attract a penalty; and the Commission shall remove such facility and charge the owner the costs of removal.
39. In the event that a communication structure is not compliant with laid down requirements, the Commission shall provide notice to the owner to remove the communication tower. In the event that such communication tower is not removed within sixty (60) days of receipt of such notice, **it shall attract a penalty** and the Commission shall remove such facility and charge the owner with the costs of removal.

Guidelines for Construction of Terrestrial Fibre Optic Cable Infrastructure

40. Licensees applying for permits to deploy fibre optic or other types of cabled infrastructure for public communications network should endeavour to comply with the ITU-T's Manual for Outside plant technologies for public networks. This manual replaces the CCITT Recommendations on the construction, installation and protection of telecommunication cables in public networks. It provides general guidelines in the areas of:
 - a. installations and assemblage of telecommunication cables and their supporting structure;
 - b. protection of cables and associated hardware against corrosion;
 - c. protection of cable supports, ducts and underground structures against other hazards; and
 - d. fault location and repair of cables.

Moratorium on Compliance

41. A five (5) year moratorium period, effective from the date of implementation of these Guidelines, shall be given to all existing towers, which do not meet laid down requirements. In the event that such communication tower is not compliant or removed on or before the 5-year deadline, it shall **attract a penalty and** the Commission shall remove such facility and charge the licensee the costs of removal.

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Schedule 2: Applicable Fees for Business Licensing and Authorisation; Spectrum and Numbering Resources

Type of Business/Service	Application Fees (Le)	Initial License Fee (Le)	Annual Regulatory Fee (Le)
CELLULAR NETWORK (GSM & CDMA) LICENSE			
Second Generation Network License for 15years	50,000,000.00	30,000,000,000.00	5,250,000,000.00
Third Generation Network License for 15 years	50,000,000.00	40,000,000,000.00	5,985,000,000.00
Fourth Generation Network License for 15 years	50,000,000.00	67,000,000,000.00	7,035,000,000.00
CDMA Network License for 15 years	50,000,000.00	10,000,000,000.00	6,300,000,000.00
DEALERSHIP LICENSE			
Class A License (e.g. Cellular phones, PABX, etc.)	1,000,000.00	10,000,000.00 per store	10,000,000.00 per store
Class B License (e.g. HF/VHF/UHF Radio equipment, etc.)	1,000,000.00	5,000,000.00 per store	5,000,000.00 per store
Class C License (e.g. VSATs, Licensed band equipment, etc.)	1,000,000.00	10,000,000.00 per store	10,000,000.00 per store
INSTALLERS LICENSE			
Class A Licence (e.g. UHF/Microwave/LOS equipment, Broadcasting, WAN)	1,000,000.00	6,000,000.00	5,000,000.00
Class B Licence (e.g. VSATs, Licensed band equipment, LAN)	1,000,000.00	4,000,000.00	3,000,000.00
Class C Licence (e.g. HF/VHF Mobile Radio equipment, etc.)	1,000,000.00	2,000,000.00	2,000,000.00
INTERNET/DATA SERVICE LICENSE			
Broadband Internet Service Provider Nationwide	10,000,000.00	120,000,000.00	100,000,000.00
Broadband Internet Service Provider in the Province	5,000,000.00	25,000,000.00	20,000,000.00
VSAT Broadband Internet Service Provider	10,000,000.00	50,000,000.00	30,000,000 plus 250,000.00 per VSAT Terminal
Data Storage Service Provider	20,000,000.00	100,000,000.00	100,000,000.00
Broadband Internet Service Provider (Unlicensed Frequencies)	10,000,000.00	120,000,000.00	100,000,000.00
Dynamic Active (Mobile) and Static (Stationary device) Industrial IoT (IIoT) applications	20,000,000.00	1,500,000,000.00	1,000,000,000.00
VALUE ADDED SERVICES (VAS)			
Communications Value Added Services (VAS)	1,000,000.00	30,000,000.00	15,000,000.00
NUMBERING RESOURCES LICENSE			
Number Resource Rental per Subscriber Number per year for Mobile Operators	N/A	N/A	1,800.00 per Subscriber Number

Type of Business/Service	Application Fees (Le)	Initial License Fee (Le)	Annual Regulatory Fee (Le)
National Destination Code (NDC)	N/A	N/A	50,000,000.00 per NDC per year
International Signalling Point Code (ISPC)	N/A	N/A	50,000,000.00 per NDC per year
National Signalling Point Code (NSPC)	N/A	N/A	50,000,000.00 per NDC per year
Short Code Number for Fintech Services and other applications	1,000,000.00	10,000,000.00 per code per year	10,000,000.00 per code per year
Assorted Short Code for Mobile Network Operators	N/A	N/A	5,000,000.00 per week
Toll Free Number	1,000,000.00	5,000,000.00 per number per year	5,000,000.00 per number per year
INFRASTRUCTURE-BASED COMMUNICATIONS LICENSE			
Infrastructure-Based Communications License for Mobile Towers for 15 years	350,000,000.00	1,500,000,000.00	1,200,000.00 per Tower per year
Infrastructure-Based Communications License for International Voice Gateway for 15 years	100,000,000.00	1,500,000,000.00	N/A
Infrastructure-Based Communications License for Terrestrial Fibre Optic Cable Network for 25 years	350,000,000.00	Based on Calculation in Schedule 3	Based on Calculation in Schedule 3
Infrastructure-Based Communications License for Submarine Cable Landing Station for 25 years	500,000,000.00	5,000,000,000.00	1,000,000,000.00
AERONAUTICAL SERVICE LICENSE			
Aeronautical HF Fixed and Mobile Stations Licence	1,000,000.00	1,000,000.00 per station	500,000.00 per station
Aeronautical VHF Fixed and Mobile Stations Licence	1,000,000.00	1,000,000.00 per station	500,000.00 per station
Aeronautical Station - Commercial	5,000,000.00	40,000,000.00 per station	65,000,000.00 per station
Aeronautical Ground to Air Station (Glider, Hang Glider and Balloon)	3,000,000.00	20,000,000.00 per station	30,000,000.00 per station
Aeronautical Ground Station (Airlines)	5,000,000.00	25,000,000.00 per station	40,000,000.00 per station
Radio Licence - Aircraft (take-off weight more than 3200 kg.)	3,000,000.00	10,000,000.00	5,000,000.00
Radio Licence - Aircraft (more than 3200 kg/less than 14000 kg.)	3,000,000.00	20,000,000.00	10,000,000.00
Radio Licence - Aircraft (take-off weight more than 14000 kg.)	3,000,000.00	25,000,000.00	15,000,000.00
Radio Licence for Aircraft (Glider, Hang Glider and Balloon)	3,000,000.00	5,000,000.00	2,000,000.00
Aeronautical Navigational Aid & Radar (Private Aerodrome)	1,000,000.00	5,000,000.00	2,000,000.00
Inmarsat Terminal (Terrestrial)	1,000,000.00	20,000,000.00	20,000,000.00

Type of Business/Service	Application Fees (Le)	Initial License Fee (Le)	Annual Regulatory Fee (Le)
MARITIME SERVICE LICENSE			
Marine HF Fixed and Mobile Stations	1,000,000.00	1,000,000.00 per station	1,000,000.00 per station
Marine VHF Fixed and Mobile Stations	1,000,000.00	1,000,000.00 per station	1,000,000.00 per station
Maritime Mobile Service Identity (MMSI)	N/A	1,000,000.00	1,000,000.00
Limited Coast Station	1,000,000.00	1,600,000.00	1,600,000.00
FIXED & LAND MOBILE SERVICE LICENSE			
HF Fixed and Land mobile Stations	500,000.00	1,000,000.00 per station	1,000,000.00 per station
VHF Fixed and Land mobile Stations	500,000.00	1,000,000.00 per station	1,000,000.00 per station
UHF/SHF Fixed and Land mobile Stations	500,000.00	1,000,000.00 per station	1,000,000.00 per station
VHF Repeater Stations	500,000.00	2,000,000.00 per station	2,000,000.00 per station
Radio Amateur Licence	500,000.00	1,000,000.00 per station	1,000,000.00 per station
Citizen Band Radio Licence	500,000.00	1,000,000.00 per station	1,000,000.00 per station
VERY SMALL APERTURE TERMINAL (VSAT) LICENSE			
Very Small Aperture Terminal (VSAT) for Corporate Institutions	5,000,000.00	40,000,000.00	40,000,000.00
Very Small Aperture Terminal (VSAT) for network of Corporate Institutions	5,000,000.00	125,000,000.00	125,000,000.00
Very Small Aperture Terminal (VSAT) for Hotels outside western area	2,000,000.00	15,000,000.00	15,000,000.00
Very Small Aperture Terminal (VSAT) for Hotels in Freetown	3,000,000.00	20,000,000.00	20,000,000.00
Very Small Aperture Terminal (VSAT) for SMEs outside western area	1,000,000.00	10,000,000.00	10,000,000.00
Very Small Aperture Terminal (VSAT) for SMEs in the Western Area	2,000,000.00	12,500,000.00	12,500,000.00
Very Small Aperture Terminal (VSAT) for INGOs in Freetown	3,000,000.00	15,000,000.00	15,000,000.00
Very Small Aperture Terminal (VSAT) for INGOs in district headquarter towns	3,000,000.00	10,000,000.00	10,000,000.00
Very Small Aperture Terminal (VSAT) for INGOs in other parts of the country	3,000,000.00	5,000,000.00	5,000,000.00
Very Small Aperture Terminal (VSAT) for network of INGOs in other parts of the country	3,000,000.00	40,000,000.00	40,000,000.00
Very Small Aperture Terminal (VSAT) for local NGOs in Freetown	1,000,000.00	10,000,000.00	10,000,000.00
Very Small Aperture Terminal (VSAT) for local NGOs in Kenema, Bo, Makeni and Koidu	1,000,000.00	7,500,000.00	7,500,000.00
Very Small Aperture Terminal (VSAT) for local NGOs in district headquarters towns	1,000,000.00	5,000,000.00	5,000,000.00
Very Small Aperture Terminal (VSAT) for local NGOs in other parts of the country	1,000,000.00	3,000,000.00	3,000,000.00
Very Small Aperture Terminal (VSAT) for local NGOs in other parts of the	1,000,000.00	25,000,000.00	25,000,000.00

Type of Business/Service	Application Fees (Le)	Initial License Fee (Le)	Annual Regulatory Fee (Le)
country			
EQUIPMENT TYPE APPROVAL			
Category 1 Equipment	500,000.00	5,000,000.00	5,000,000.00
Category 2 Equipment	500,000.00	2,500,000.00	2,500,000.00
Category 3A Equipment	500,000.00	20,000,000.00	20,000,000.00
Category 3B Equipment	500,000.00	7,500,000.00	7,500,000.00
Category 4 Equipment	500,000.00	15,000,000.00	15,000,000.00
Category 5 Equipment	500,000.00	2,500,000.00	2,500,000.00
BROADCASTING SERVICE LICENSE			
Commercial/ Religious Frequency Modulation (FM) Station in Freetown	1,000,000.00	7,500,000.00	7,500,000.00
Commercial/ Religious Frequency Modulation (FM) Station in Bo, Kenema & Makeni	1,000,000.00	6,000,000.00	6,000,000.00
Commercial/ Religious Frequency Modulation (FM) Station in District headquarters towns	1,000,000.00	5,500,000.00	5,500,000.00
Commercial/ Religious Frequency Modulation (FM) Station in parts of the country	1,000,000.00	5,000,000.00	5,000,000.00
Community Frequency Modulation (FM) Station in the Country with ERP not exceeding 50 watts	1,000,000.00	3,000,000.00	3,000,000.00
UHF Fixed / Mobile STL/OB Links for Radio Broadcasting	500,000.00	1,000,000.00	1,000,000.00
Satellite Studio Transmitter Link (STL)	1,000,000.00	3,000,000.00	3,000,000.00
Analogue Terrestrial Television Station	10,000,000.00	20,000,000.00 per channel	20,000,000.00 per channel
Digital Terrestrial Television (Signal Distributor)	10,000,000.00	20,000,000.00 per channel	20,000,000.00 per channel
Amplitude Modulation (AM) Radio Station	1,000,000.00	5,000,000.00	5,000,000.00
Short Wave (SW) Radio Station	1,000,000.00	5,000,000.00	5,000,000.00
Direct - To - Home (DTH) TV (pay TV)	10,000,000.00	50,000,000.00	50,000,000.00
Direct - To - Home (DTH) TV (e.g. DSTV)	10,000,000.00	50,000,000.00	50,000,000.00
TV Outside Broadcast (OB)	500,000.00	1,000,000.00	1,000,000.00
Direct - To - Home (DTH) TV (Free to Air)	N/A	N/A	N/A
OTHER SERVICES			
Mobile Satellite Service (MSS) / GMPCS e.g. Iridium, Inmarsat, Thuraya	20,000,000.00	100,000,000.00	100,000,000.00

Type of Business/Service	Application Fees (Le)	Initial License Fee (Le)	Annual Regulatory Fee (Le)
Trunk Radio Network	30,000,000.00	50,000,000.00	50,000,000.00

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Schedule 3: Formula to Calculate License Fee for Terrestrial Fibre Optic Cable

The annual regulatory fee payable for terrestrial fibre optic cable is calculated based on the formula outlined below where the unit fee, band factor and the number of fibre pairs are taken into account.

Spectrum Fee= Unit price X Number of Fibre Pairs X Band Factor X Cable Length (KM)

Fibre Core/Strands	Band Factor
12 Fibre Cable	1.2
24 Fibre Cable	1.2
48 Fibre Cable	1.2
96 Fibre Cable	1.0
144 Fibre Cable	0.8

Cable Length Bracket (KM)	Unit Cost per KM (Le.)
0 to 100	40,000.00
101 to 200	35,000.00
201 to 300	30,000.00
Above 300	25,000.00

Schedule 4: Standard Application Forms

Form L1A: Application for Individual License

Form L1A: Application for Individual License			
<i>General Instructions</i>			
<i>Natural persons or legal entities applying for an Individual License to deliver electronic communications services in line with the Licensing Regulations of 2019 should complete this Form.</i>			
1	Applicant Profile (Please complete this section in full)		
1a	Full Name of Applicant		
1b	Permanent Address of Applicant		
1c	Official Contact e-Mail		
1d	Official Contact Phone No.		
2	Proposed Services (please tick all applicable services intended)		
2a	Public Switched Fixed Line Telephone Services	<input type="checkbox"/>	Public Fixed Wireless Broadband Internet Services
	Public Cellular Mobile Telephone Services	<input type="checkbox"/>	Public Fixed Wireless Multimedia Services
	Public Switched Integrated Digital	<input type="checkbox"/>	Leased Circuit Services

	Network Services			
	Public Switched Messaging Services		Public Digital Television Spectrum Administration	
	Public Switched Data Services		Value Added Communication Services	
3	Infrastructure Development Plan (Please select all applicable infrastructure proposed to be developed as part of the proposed investment plan)			
	Communications Towers		Submarine Fibre Optic Cables	
	Terrestrial Fibre Optic Cables		International voice gateway	
	Broadband internet gateway		Data Centre Co-Location Facility	
	Other (Specify) _____		Other (Specify) _____	
4	Business Geographical Coverage (Please tick as applicable the applicable coverage of proposed services)			
	Less than 3 Districts		Between 5 and 10 Districts	
	Between 10 and 15 Districts		Nationwide Coverage	
5	Target Market (Please tick as applicable, the target market for the proposed services)			
	Licensed service providers only		Licensed Service providers, Resellers and End-Users	
	Resellers and End-Users		End-Users Only	
6	Spectrum Resource Uses and Requirements			
6a	<i>Proposed Utilisation of Frequency Spectrum</i>			
	Backhaul Transmission		Distribution and Customer Access	
	Broadcasting		Other (Specify) _____	
6b	<i>Proposed Type (please indicate whether the business will require licensed or unlicensed frequencies. Tick as applicable)</i>			
	Licensed Frequencies		Unlicensed Frequencies	
6c	Please indicate the Frequency Bands required for your network			
	Primary Option Band		Associated Bandwidth	
	Secondary Option Band		Associated Bandwidth	
	Other Option Band		Associated Bandwidth	
6d	<i>Proposed Geography (please indicate the coverage of areas in which radio frequency spectrum assignment is required)</i>			
	Less than 5 Districts		Between 5 and 10 Districts	
	Between 10 and 15 Districts		Nationwide Coverage	
7	Numbering Resource Requirement (Please indicate the volume of numbers required for assignment)			
	1 Million or Less		Up to 2 Million	
	Up to 3 Million		Other (Specify) _____	
8	Other Technical Information (Please provide the additional information requested below in a separate document, and tick the boxes for the information provided)			
8a	Network Design, Technology and Delivery Methodology			
8a(i)	Network design, including proposed network configurations, layers, nodes, connectivity descriptions			
8a(ii)	Types of equipment to be utilised at all levels of the proposed network implementation (including equipment makes, models and specifications)			

8a(iii)	Summary information on the type of technology(ies) to be utilised in the delivery of the proposed services	
8b	Key Personnel (please provide curriculum vitae of the following key personnel separately and tick boxes for the information provided)	
8b(i)	Chief Executive Officer	
8b(ii)	Chief Technical Officer	
8b(iii)	Chief Financial Officer	
8b(iv)	Chief Commercial Officer	
9	Investment Plans (please provide in a separate document, estimates and forecasts of proposed capital outlay for initial investments and the first 5 years of operations)	
9a	Estimated capital investments in initial year of business	
9b	Forecast of additional investments over 5 year period	
10	Proposed Staffing Requirements (please provide in a separate document)	
10a	Schedule of Human Resource requirements (Yr 0 to Yr 1)	
10b	Proposed Staffing Plans (Local vs Expatriate) (Yr 1 to Yr 5)	

Form L1B: Application for Class License

Form L1B: Application for Class License			
<i>General Instructions</i>			
<i>Natural persons or legal entities applying for Class License to deliver electronic communications services in line with the Licensing Regulations of 2019 should complete this Form.</i>			
1	Applicant Profile (Please complete this section in full)		
1a	Full Name of Applicant		
1b	Permanent Address of Applicant		
1c	Official Contact e-Mail		
1d	Official Contact Phone No.		
2	Proposed Services (please tick all applicable services intended. VSAT service providers will be required to complete Form L1E in addition to this Form)		
2a	Mobile Broadband Internet and Data Services	<input type="checkbox"/>	Fixed Wireless Broadband Internet Services
	VSAT Satellite Communications Services	<input type="checkbox"/>	Public Fixed Wireless Multimedia Services
	Resale of Public Mobile Cellular Network Services (MVNO)	<input type="checkbox"/>	Public Switched Digital Television Services
	Value-Added Resale of Switched Mobile Messaging Services	<input type="checkbox"/>	Resale of International Voice Communication Services (MVNO)
	Public Switched Data Services	<input type="checkbox"/>	Value Added Communication Services
3	Infrastructure Leasing Plan (Please select all applicable infrastructure proposed to be leased from other licensees as part of the proposed investment plan)		

	Communication Tower Co-Location Leasing		Leasing of Wholesale Internet Bandwidth	
	Leased Circuits on Mobile Telephone Transmission Networks		Leased Circuit on International voice gateway	
	Leased Circuits on Terrestrial Fibre		Data Centre Co-Location Leasing	
	Other (Specify) _____		Other (Specify) _____	
4	Business Geographical Coverage (Please tick as applicable the applicable coverage of proposed services)			
	Less than 3 Districts		Between 5 and 10 Districts	
	Between 10 and 15 Districts		Nationwide Coverage	
5	Target Market (Please tick as applicable, the target market for the proposed services)			
	Other Service Resellers and End-Users		Service End-Users Only	
6	Spectrum Resource Uses and Requirements			
6a	<i>Proposed Utilisation of Frequency Spectrum</i>			
	Backhaul Transmission		Distribution and Customer Access	
	Broadcasting		Other (Specify) _____	
6b	<i>Proposed Type (please indicate whether the business will require licensed or unlicensed frequencies. Tick as applicable)</i>			
	Licensed Frequencies		Unlicensed Frequencies	
6c	Please indicate the Frequency Bands required for your network			
	Primary Option Band		Associated Bandwidth	
	Secondary Option Band		Associated Bandwidth	
	Other Option Band		Associated Bandwidth	
6d	<i>Proposed Geography (please indicate the coverage of areas in which radio frequency spectrum assignment is required)</i>			
	Less than 5 Districts		Between 5 and 10 Districts	
	Between 10 and 15 Districts		Nationwide Coverage	
7	Numbering Resource Requirement (Please indicate the volume of numbers required for assignment)			
	1 Million or Less		Up to 2 Million	
	Up to 3 Million		Other (Specify) _____	
8	Other Technical Information (Please provide the additional information requested below in a separate document, and tick the boxes for the information provided)			
8a	Network Design, Technology and Delivery Methodology			
8a(i)	Network design, including proposed network configurations, layers, nodes, connectivity descriptions			
8a(ii)	Types of equipment to be utilised at all levels of the proposed network implementation (including equipment makes, models and specifications)			
8a(iii)	Summary information on the type of technology(ies) to be utilised in the delivery of the proposed services			
8b	Key Personnel (please provide curriculum vitae of the following key personnel separately and tick boxes for the information provided)			
8b(i)	Chief Executive Officer			
8b(ii)	Chief Technical Officer			
8b(iii)	Chief Financial Officer			
8b(iv)	Chief Commercial Officer			

9	Investment Plans (please provide in a separate document, estimates and forecasts of proposed capital outlay for initial investments and the first 5 years of operations)	
9a	Estimated capital investments in initial year of business	
9b	Forecast of additional investments over 5 year period	
10	Proposed Staffing Requirements (please provide in a separate document)	
10a	Schedule of Human Resource requirements (Yr 0 to Yr 1)	
10b	Proposed Staffing Plans (Local vs Expatriate) (Yr 1 to Yr 5)	

Form L1C: Business Authorisation Application

Form L1C: Business Authorisation Application

General Instructions

Natural persons or legal entities applying for Class License to deliver electronic communications services in line with the Licensing Regulations of 2019 should complete this Form.

1	Applicant Profile (Please complete this section in full)	
1a	Full Name of Applicant	
1b	Permanent Address of Applicant	
1c	Official Contact e-Mail	
1d	Official Contact Phone No.	
2	Business Plan	
2a	Please provide in a separate document, a summary of the business plan, which should include the following (please tick to confirm information is included)	
(i)	Description of all services to be provided and the target market segments	
(ii)	Type of communications network facilities to be utilised for service delivery (e.g. Hosting, WANs, LANs, SIMs, VPN etc)	
(iii)	Description of types of technologies to be utilised for delivery of services	
(iv)	Information on key management personnel	

Form L1D: Business Declaration Form

Form L1D: Business Declaration Form	
<i>General Instructions</i>	
<i>Natural persons or legal entities declaring their business services in compliance with the Licensing Regulations of 2019 should complete this Form.</i>	
1	Declarant Profile (Please complete this section in full)
1a	Full Name of Declarant
1b	Permanent Address of Declarant
1c	Official Contact e-Mail
1d	Official Contact Phone No.
2	List of Services Provided
2a	Please provide in a separate document, list of all services provided to customers in Sierra Leone. Where the business is leasing or subscribing to services of licensed operators, please provide the list of service providers with whom the business has long-term service agreements (i.e. More than 12 Months)