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No. 1—The Securities Central Depositories Act, 2009.

General Notice No. 51 of 2009.

RADIO SPECTRUM POLICY GUIDELINES FOR UGANDA

EXECUTIVE SUMMARY

The radio-frequency spectrum being a limited and scarce natural resource requires measures to manage it in a guided manner so that it is effectively used by those who require it to provide radiocommunications services including telecommunications, broadcasting in the best national interest and its citizens.

Having Radio spectrum Policy guidelines in place is one of the instruments of spectrum management through which the Commission is able to guide the public on the use of the resource in a proper manner. The spectrum policy guidelines outline the objectives and gives spectrum management principles that form key basis for the management of the spectrum in the country. The policy guidelines are provided for the following element of spectrum management:

PROTECTION OF SPECIAL RADIO SERVICES

Policy Guideline 1:

Priority shall be given to frequencies for special radio services such as maritime/aeronautical, for emergency services such as the health as well as for national security services, which are intended to save and protect the lives of the people in Uganda.

FREQUENCY SHARING

Policy Guideline 2:

The Commission will promote radio frequency spectrum sharing either on a primary or secondary basis while taking into account spectrum efficiency and operational requirements of services.

DISPLACEMENT OF SERVICES/FREQUENCY RE-FARMING

Policy Guideline 3:

In the event of no viable option, the Commission shall facilitate frequency refarming or displacement of services to other frequency bands for the maximum benefit of all Ugandans. The affected parties shall be given adequate notice to allow for relocation or surrendering of the spectrum. The new licensee shall be required to pay for the cost of the displacement. However, the Commission shall not be liable or responsible at all for compensation of the existing spectrum users.

FREQUENCY AUTHORISATION

Policy Guideline 4:

The Commission shall establish/formulate radio frequency licences and issue them to all companies/institutions/parties eligible in accordance with the relevant provisions in Cap. 106, Laws of Uganda. The authorizations shall be valid for a period of five years, although an annual frequency fee shall be applicable. The assignment of radio frequencies and radio systems shall be conducted on *first-come-first-served* basis in accordance with established application processing procedures for bands where there is sufficient supply of spectrum. The Commission shall ensure that the frequencies and radio systems are put into use and brought into operation in the specific period provided in the licences. Market based approaches such as lotteries; auctions may only be considered in circumstances where the demand exceeds the supply or where the portion of spectrum is considered to be of high economic value.

UNIVERSAL ACCESS

Policy Guideline 5:

The Commission shall reserve spectrum for deployment of wireless technologies in rural areas and shall give incentives that may include differential pricing for spectrum for deployment of services in such areas. The Commission shall determine the areas to be designated as rural areas. Where a community radio station is licensed to operate in a rural area, the Commission shall give priority to that station when assigning broadcasting frequency.

LICENCE EXEMPT FREQUENCY BANDS

Policy Guideline 6:

The 2.400-2.483 GHz, 5.150-5.350GHz and 5.470-5.725GHz are the designated licence—exempt radio frequency bands in Uganda. Other licence exempt radio spectrum may be designated by the Commission and made known to the public. However all eligible users require general authorizations from the Commission and their operations should be in conformity with the Commission's operational guidelines for the band. The users in these bands shall not claim protection from interference and shall not cause interference to other licensed users in other bands.

SHORT RANGE DEVICES

Policy Guideline 7:

The short-range devices which are permitted for use in Uganda are those designed to operate over short ranges and at low power levels in accordance with ITU-R Recommendations and as well as other internationally recognized and industry-based standards. These devices shall only be permitted for terrestrial use only and shall operate on non-protection basis from other authorized services in the same or adjacent frequency bands and shall not cause harmful interference themselves.

FREQUENCY TRIALS/TEMPORARY FREQUENCY ASSIGNMENTS

Policy Guideline 8:

The Commission may authorize frequency assignments for radiocommunication systems on trial basis and new technology experiments. The Commission shall require the applicant to justify and demonstrate the viability of such trials and experiments before they are authorized to provide a service using that band for which permission is given for trials. The period of trial shall not exceed a period of six months and the results of the trial shall be availed to the Commission. The Commission may also authorize frequency assignments for temporary use provided the applicant meets the criteria for temporary assignments.

ENFORCEMENT MEASURES AFTER FREQUENCY ASSIGNMENT

Policy Guideline 9:

To ensure that the assigned frequencies are valued, used appropriately and brought into use in a timely manner, the Commission shall use to the extent possible appropriate Spectrum Management and Monitoring systems/tools. In case of violation, the Commission shall follow enforcement guidelines, which shall include revocation of licence and application of the penalty schedule under Statutory Instruments in place.

FREQUENCY LINCENCE/USAGE FEES

Policy Guideline 10:

In accordance with the above considerations, the Commission may review its fee structure from time to time. However in the occurrence of this, the Commission may, as far as practicable, present justification for the review and give ample notice to affected parties.

FREQUENCY PLANNING/ALLOCATIONS

Policy Guideline 11:

- (a) The Commission shall endeavour to open up any band within which interest has been indicated. However this will depend on:
 - (i) Whether the band can be made available for that particular service in conformity with the national table of frequency allocations, that takes recognition of the ITU table of frequency allocations.
 - (ii) Whether operationalisation of the service in such a band does not cause harmful interference to other services in the same or other bands.
- (b) The Commission shall apply all relevant spectrum management principles in carrying out frequency allocations/assignments.
- (c) Notwithstanding the First-come First-Served basis principle on frequency licensing, in certain situations where the demand is more than the supply, the Commission may use any market-based approaches such as auction, among others.
- (d) Efforts shall be made to accommodate as many users as possible in a particular band provided there is no degradation of services or interference.
- (e) Where the amount of the spectrum in a particular frequency band is constrained by using the frequencies for nationwide coverage, such a band shall be planned for use on a regional basis in the provision of services.
- (f) In the circumstances that an operator/company requires additional frequencies in the same band where they already have assignments, such request shall only be considered and authorized after the applicants have demonstrated and justified full utilization of the existing frequencies. The Commission shall in as far as possible discourage spectrum hoarding.
- (g) In the circumstances that a licensed operator/company is hoarding radio spectrum/not utilizing the radio spectrum intentionally or not using the spectrum in accordance with the stipulated frequency conditions, the Commission shall withdraw the frequencies.

RESEARCH AND DEVELOPMENT

Policy Guideline 12:

The Commission may allow access to radio spectrum for temporary or experimental R&D purposes provided there is justification for an application for that purpose. The Commission shall provide guidelines under which frequency allocations for temporary or R&D initiatives shall be carried out. However, unless decided otherwise in future, the funding of R&D should be borne by the R&D companies or

be done at the sole discretion of communication industry and not by funding from the Commission nor as a condition of licensing.

RADIO COMMUNICATION STANDARDS

Policy Guideline 13:

The Commission, in developing equipment standards, shall use ITU-R Recommendations as well as other internationally recognized and industry-based standards with an aim to allow for wide open markets for the products and reciprocity in type approval of radio equipment.

INSTALLERS/INSPECTORS OF EQUIPMENT/FACILITIES

Policy Guideline 14:

The Commission encourages the formation of consultancy/professional institutions or equipment installers, which shall act as third parties to carry out conformity assessment of the equipment standards and radio station installations to ensure they comply with Commission's requirements as authorized. The Commission shall recognize these parties and provide guidelines along which they will carry out their duties.

RADIO SPECTRUM TRANSFER

Policy Guideline 15:

The Commission shall put in place spectrum transfer procedures against which the transfers shall be carried out, taking into account competition safeguards and a harmonized use of the frequencies in accordance with the national table of frequency allocations. The Commission shall publish information regarding transfers of the radio spectrum assignments.

CO-LOCATION AND SHARING OF INFRASTRUCTURE

Policy Guideline 16:

The Commission encourages and may impose on providers shared utilization of infrastructure for purposes of effective use of resources in the interest of environment concerns and other social considerations. The Commission may also issue regulations on co-location and on shared use of infrastructure.

SALE AND USE OF RADIO EQUIPMENT

Policy Guideline 17:

The Commission shall issue regulations on requirements/specifications and conditions for the sale and use of the radio transmitting equipment in Uganda. All radio transmitting radio equipment vendors/dealers in the country shall be required to register with the Commission. Those registered in accordance with a regulation may import radio and terminal equipment.

SATELLITE ORBITAL SLOTS

Policy Guideline 18:

The Commission shall issue regulations on requirements for the request and registration process of the satellite orbital slots.

UNFORESEEN POLICY ISSUES IN THE USE OF RADIO SPECTRUM

Policy Guideline 19:

The Commission may add, vary or amend these regulations in order to widen the scope of these guidelines or where in the public interest it is deemed necessary to do so.

*Management,
Uganda Communications Commission.*

General Notice No. 52 of 2009.

THE ADVOCATES ACT. NOTICE.

APPLICATION FOR A CERTIFICATE OF ELIGIBILITY.

IT IS HEREBY NOTIFIED that an application has been presented to the Law Council by Asimwe Simon who is stated to be a holder of Bachelor of Laws of Makerere University having been awarded a Degree on the 23rd day of November, 2003 and to have been awarded a Diploma in Legal Practice by the Law Development Centre on the 18th day of April, 2008 for the issue of a Certificate of Eligibility for entry of his name on the Roll of Advocates for Uganda.

Kampala, BAGEYA MOTOOKA AARON,
19th February, 2009. *for Acting Secretary, Law Council.*

General Notice No. 53 of 2009.

THE ADVOCATES ACT. NOTICE.

APPLICATION FOR A CERTIFICATE OF ELIGIBILITY.

IT IS HEREBY NOTIFIED that an application has been presented to the Law Council by Banumba Francis who is stated to be a holder of Bachelor of Laws of Makerere University having been awarded a Degree on the 22nd day of October, 2004 and to have been awarded a Diploma in Legal Practice by the Law Development Centre on the 16th day of June, 2006 for the issue of a Certificate of Eligibility for entry of his name on the Roll of Advocates for Uganda.

Kampala, BAGEYA MOTOOKA AARON,
18th February, 2009. *for Acting Secretary, Law Council.*

General Notice No. 54 of 2009.

THE ADVOCATES ACT. NOTICE.

APPLICATION FOR A CERTIFICATE OF ELIGIBILITY.

IT IS HEREBY NOTIFIED that an application has been presented to the Law Council by Barigye Said who is stated to be a holder of Bachelor of Laws of Makerere University having been awarded a Degree on the 22nd day of October, 2004 and to have been awarded a Diploma in Legal Practice by the Law Development Centre on the 27th day of July, 2007 for the issue of a Certificate of Eligibility for entry of his name on the Roll of Advocates for Uganda.

Kampala, BAGEYA MOTOOKA AARON,
18th February, 2009. *for Acting Secretary, Law Council.*