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14 March 2011

The Chairperson
Communications Regulatory Authority of Namibia
Communication House
56 Robert Mugabe Avenue
Windhoek

Dear Mr L Jacobs

BY HAND

RE: COMMENTS ON NOTICE TO MAKE REGULATIONS MADE ON 11 FEBRUARY 2011

Kindly find hereunder our comments in respect of the proposed Regulations in terms of the Regulations Regarding Rule Making Procedures.

AD REGULATION NO14 OF 2011

DEFINITIONS:

The definition of "Class telecommunications licence" is vague; it doesn't attempt to define the licence or "class" referred to.

SECTION 6: FORM OF SUMMONS:

We are of the view that the mode of delivery of the summons should only be personal service i.e. hand delivery as there is a timeline to adhere to and the consequences of non-compliance having serious ramifications.

AD REGULATION NO15 OF 2011

SECTION 14 (5)

We propose that (d) be added to this subsection as follows: *"be in English, and if not possible notify the Authority in advance to arrange an interpreter"*

SECTION 14 (7)

We propose to replace this subsection with the following: *"Oral hearings shall be recorded and at the conclusion of the hearing the Authority shall ensure a transcription of the proceedings is placed in the relevant application file."*

AD REGULATION NO16 OF 2011

SECTION 6 (4)

We propose that (d) be added to this subsection as follows: *"be in English, and if not possible notify the Authority in advance to arrange an interpreter"*

SECTION 6 (6)

We propose to replace this subsection with the following: *"Oral hearings shall be recorded and at the conclusion of the hearing the Authority shall ensure a transcription of the proceedings is placed in the relevant application file."*

AD REGULATION NO17 OF 2011

SECTION 11(5)

We propose that (d) be added to this subsection as follows: *"be in English, and if not possible notify the Authority in advance to arrange an interpreter"*

SECTION 11 (7)

We propose to replace this subsection with the following: *"Oral hearings shall be recorded and at the conclusion of the hearing the Authority shall ensure a transcription of the proceedings is placed in the relevant application file."*

AD REGULATION NO18 OF 2011

We are of the humble opinion that this regulation, with specific reference to what complaints the consumer may take to the Authority is too broad. The literal interpretation of the agreement as is allows the consumer to take any complaint (whatever the magnitude) to the Authority and similarly the service provider must reply thereto within a set time. This exercise as stated in the proposed regulation could be cumbersome.

We are in the business of providing service to the consumer and as such endeavour to do so at all costs, and although we want to improve our customer relations we are of the view that there are more appropriate avenues internally within which this can be dealt with.

We propose that the Authority puts in place a system in terms of which a reply from the service provider is only sought after due consideration by the Authority and the Authority deems it appropriate to seek a reply.

In line with the proposal above we propose the following changes:

SECTION 1 (d) (v) and (vi)

(v) gross customer disservice and customer treatment;

(vi) repetitive service interruptions and dropped calls.

Section 5 (b)

To insert the following sentence (as part of) in front of the existing (b):

"The Authority shall then review the complaint and on its discretion, where it deems it necessary to obtain insight from the service provider,..."

Section 5 (2)

We propose that seven (7) days be replaced with fourteen (14) days.

SECTION 6 (5)

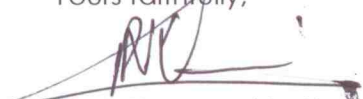
We propose that (d) be added to this subsection as follows: *"be in English, and if not possible notify the Authority in advance to arrange an interpreter"*

SECTION 6 (7)

We propose to replace this subsection with the following: *"Oral hearings shall be recorded and at the conclusion of the hearing the Authority shall ensure a transcription of the proceedings is placed in the relevant application file."*

Trusting the above is in order.

Yours faithfully,



Mrs P Kanguuehi – Kanalelo
**HEAD: LEGAL SERVICES &
COMPANY SECRETARY**