



BROADCASTING LICENSEE REPORTING OBLIGATIONS

BY MARIA UUSHONA

ACTING EXECUTIVE LEGAL &
REGULATORY SERVICES





INTRODUCTION

- All broadcasting licensees are obligated to submit specified reports, annual financial statements and annual returns.
- All broadcasting licensees are required to pay annual licence fees, regulatory fees and spectrum fees.

A broadcasting licensee is required to-

- Submit its audited annual financial statements within 60 days after end of a licensee's financial year.
- Upload the audited annual financial statements on data portal.



REPORTING OBLIGATIONS

- A Broadcaster must submit-
- **Quarterly Data Requirements For Broadcasting Licensee's report** on Form B1
 - Containing revenue, expenses, investment, staff and subscriber statistics.
 - Quarterly submission means –
 - **Q1: 30 April** for the quarter commencing 1 January and ending 31 March;
 - **Q2: 31 July** for the quarter commencing 1 April and ending 30 June;
 - **Q3: 31 October** for the quarter commencing 1 June and ending 30 September;
 - **Q4: 31 January** in the succeeding year for the quarter commencing 1 October and ending 31 December;



REPORTING OBLIGATIONS

- A Broadcaster must submit-
 - **Bi-annual Data Requirements For Broadcasting Licensee's report** on Form B2
 - Containing quality of service statistics.
 - Biannual submission means –
 - **31 July** for the semester commencing 1 January and ending 30 June;
 - **31 January** in the succeeding year for the semester commencing 1 July and ending 31 December; and
 - **Annual Data Requirements For Broadcasting Licensee's report** on Form B3
 - Containing consumer complaint statistics.
 - Annually unless prescribed otherwise means **31 January** in the succeeding year for a calendar year.



AD HOC REPORTS

- The Authority may request for ad hoc reports to-
 - Monitor & enforce spectrum, consumer protection, quality of service, fair competition requirements etc.
 - Collection of information for sectoral analysis, planning, reporting etc.
- Licensee must submit information in format prescribed by Authority.
- Licensee must submit further information to clarify cost accounting information **within 30 days from receipt of request.**



RETENTION OF INFORMATION

- All licensees must retain information required to complete the reports and for a minimum of **36 months** after the end of the reporting period, or for a longer time period as may be directed by the Authority.



PUBLICATION

- The Authority may publish information received via submission of reports.
- Licensees may designate information provided in reports as confidential commercial information that may not be disclosed.
- The Authority must consult with licensees before publishing any information



FAILURE TO SUBMIT

- Licensees may request for an extension to submit information 7 days prior to submission due date.
- If licensees fails to submit report or returns, the Authority may-
 - Request for submission within 30 days
 - Require implementation of a remedial plan within set time and request submission of outstanding information.
 - Failure of which matter will be handled in terms of section 114, 115 and 116 of the Act and the Penalty Regulations published under General Notice No. 159 of 29 April 2020.



LOCAL CONTENT- BROADCASTING CODE





LOCAL CONTENT

- Part D of the Broadcasting Code.
- Local content” means local content music, local content programs, and local content channels.
- Broadcasting Code encourages the development of quality content which reflects Namibian attitudes, opinions, ideas, values and artistic creativity.



IMPLEMENTING LOCAL CONTENT REQUIREMENT

- **Submit Local Content Policy** (description of Channels, Programs, Music, characteristic and preferences of the audience, availability and cost of local content, and challenges related to the implementation of the requirements).
- **Maintain logs and statistics** (particulars of all local content programs or music, and if applicable the cost of production or acquisition).
- **Before 31 January** of each completed year, submit Local Content Compliance Report.



REGULATORY & SPECTRUM FEES





REGULATORY LEVIES

- Licensees are required to pay regulatory levies on an annual basis.
 - Levy % = $\text{MAX}(500, \text{MIN}(1.0\%, 0.000000000010 * \text{Turnover}) * \text{Turnover})$



SPECTRUM FEES

- Licensees are required to pay annual spectrum fees in terms of Regulations prescribing Licence Fees and Regulatory Levies under Section 129.
- Fees payable in terms of Table 1-6 of the spectrum fees regulation and the applicable formulas.
- All spectrum fees payment to be made within 30 days of receipt of spectrum invoice, which shall be no later than 31 December of every year.



ADDITIONAL FEES

- Herewith additional fees applicable to broadcasting licensees:

LICENCE TYPE	APPLICATION FEES	ISSUE FEES	RENEWAL FEES	TRANSFER FEES	AMENDMENT FEES
Broadcasting- Commercial	10,000	10,000	10,000	10,000	10,000
Broadcasting- Community	500	500	500	500	500
Broadcasting- Public	n/a	n/a	n/a	n/a	n/a
Broadcasting- Signal Distribution	10,000	10,000	10,000	10,000	10,000
Broadcasting- Multiplex	10,000	10,000	10,000	10,000	10,000
Broadcasting- Class Comprehensive	10,000	10,000	10,000	10,000	10,000
Broadcasting- Multiplex and Signal Distribution	n/a	n/a	n/a	n/a	n/a

**BROADCASTING LICENSEES
OBLIGATIONS**

Q & A

Phone Number

+264 61 222 666

Email Address

legal@cran.na

Website

www.cran.na



CRAN
Communications Regulatory Authority of Namibia

THANK YOU FOR YOUR ATTENTION