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THE ELECTRONIC AND POSTAL COMMUNICATIONS ACT  
(CAP. 306)

**REGULATION**

THE ELECTRONIC AND POSTAL COMMUNICATIONS (ELECTRONIC COMMUNICATIONS EQUIPMENT STANDARDS) REGULATIONS, 2018

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THE ELECTRONIC AND POSTAL COMMUNICATIONS (ELECTRONIC  
COMMUNICATIONS EQUIPMENT STANDARDS) REGULATIONS, 2018

PART I  
PRELIMINARY PROVISIONS

- Citation 1. These Regulations may be cited as the Electronic and Postal Communications (Electronic Communications Equipment Standards) Regulations, 2018.
- Application 2. These Regulations shall apply to electronic communications equipment imported or manufactured for use in the United Republic for connection to any electronic communications network for the purpose of receiving or transmitting electronic communication signals.
- Interpretation 3. In these Regulations, unless the context otherwise requires:-
- Cap.306 “Act” means the Electronic and Postal Communications Act;
- “ADSL” means Asymmetric Data Subscriber Line;
- Cap.172 “Authority” means the Tanzania Communications Regulatory Authority (TCRA) established under the Tanzania Communications Regulatory Authority Act;
- “Customer” means end user of communications services;
- “Electronic Communications Equipment or Equipment” means any electronic communications equipment,

- whether network or terminal, intended for use with communications and broadcasting services;
- “GETA” means General Electronic Type Approval process;
- “ISDN” means Integrated Services Digital Network;
- “LAN” means Local Area Network;
- “list” means the list of approved electronic communications equipment as updated from time to time by the Authority;
- “Manual Type Approval” means a process whereby type approval certification is done through paper work;
- “MDC” means Manufacturer’s Declaration of Conformity;
- “Network Equipment” means intermediate electronic communications equipment that facilitate connection or delivery of communications signals between networks;
- “Online Type Approval” means a process whereby type approval certification is done through web based electronic application available as worldwide web;
- “PABX” means Private Automatic Branch Exchange;
- “PRA” means ISDN’s Primary Rate Access;
- “BRA” means ISDN’s Basic Rate Access;
- “PSTN” means Public Switched Telephone Network;
- “RFID” means Radio Frequency Identifications Device;
- “SETA” means Simplified Electronic Type Approval process;
- “STBs” means Set-Top-Boxes;
- “Terminal Equipment” means equipment at either end of a communications link or where communications signal is terminated or Customer Premises Equipment – CPE; and
- “Type Approval” means a method of checking for compatibility of all electronic communications

equipment with any operating electronic communication network as well as conformity to standards.

PART II  
ELECTRONIC COMMUNICATIONS EQUIPMENT  
STANDARDISATION

Responsibilities of  
the Authority

4.-(1) The Authority shall be responsible for formulating technical standards related to electronic communications services in the United Republic.

(2) The Authority shall maintain database of all communications equipment authorized for use in the United Republic.

(3) The Authority shall, subject to applicable procedures and fees, and at the request of equipment manufacturers or equipment suppliers or users, conduct type approval tests through its laboratory or any other relevant facility or means and issue type approval certificates in respect of electronic communications equipment intended for use in the United Republic.

(4) The Authority shall, in conducting type approval certification of electronic communications equipment, be guided by either technical standards formulated and published by the Authority under these Regulations or adopted national, regional or international standards.

Requirements for  
Equipment  
Standardisation

5.-(1) The electronic communications equipment intended for sale in the United Republic shall be subjected to certification and type approval by the Authority.

(2) For the purpose of conformity to standards, any electronic communications equipment to be connected to electronic communications networks in the United Republic shall undergo type approval certification.

(3) Pursuant to the provision of sub-regulation (2), the following equipment shall require type approval before sale, distribution or installation in the United Republic:-

- (a) electronic communications equipment to be used for connection or access to the public operating electronic communication networks;
- (b) wireless communications equipment to be used in the United Republic ; and
- (c) Set-Top- Boxes used to receive digital Television signals.

(4) The Authority shall, from time to time, issue a list of type approved electronic communications equipment together with technical standards and applicable type approval fees.

**PART III  
PROCEDURES OF TYPE APPROVAL OF ELECTRONIC  
COMMUNICATIONS EQUIPMENT**

Manufacturer's  
declaration of  
conformity  
(MDC)

6.-(1) The equipment manufacturer shall, for every electronic communications equipment, declare that the equipment conforms to international and national standards before the equipment is approved for use in the United Republic.

(2) Any manufacturer, who hosts any database related to any electronic communications equipment in use within the United Republic shall declare that such hosted information is retrievable for Authority's access whenever is necessary.

Authority's Type  
Approval  
certification  
processes

7.-(1) There shall be several means of electronic communications equipment certification to be applied by the Authority, including Manual Type Approval certification process and Online Type Approval certification.

(2) Under Manual Type Approval certification process, an applicant shall:-

(a) collect type approval application form from the Authority;

(b) fill the form and return the same to the Authority with the following documents:-

(i) user manual;

(ii) operational manual;

(iii) technical document consisting of a general description of equipment, technical data and facilities supported;

(iv) sales brochures;

(v) manufacturers declaration of conformity; and

(vi) any other documents that the applicant considers useful to the Authority.

(3) The Authority may deploy an Online Type Approval (OTAS) process using the following general procedures:-

(a) the applicant selects an application type for submission (SETA or GETA);

(b) the applicant reads and confirms declarations;

(c) the applicant enters type, name and model of the equipment to be applied for type approval and searches it in the database to confirm whether or not the same has been approved already; and

(d) applicant fills in online application form, attach necessary documents, declares that the information given is correct and submits the application; and

- (e) on successful submission, the applicant will be informed of the application status through email, including sending of invoices and certificates.
- (4) In the case SETA is selected:-
  - (a) the applicant declares that the equipment applied for certification conforms to standards;
  - (b) the applicant submits Supplier's Declaration of Conformity, equipment sales brochures and technical data or specifications;
  - (c) under this category applicants must have carried out own conformity assessment for the model of equipment based on test results and evidence of equipment certification given by the manufacturer or an accredited body; and
- (5) equipment covered under SETA category includes Bluetooth devices, RFID devices, wireless microphones, remote controls and alarm systems and other low power devices less than one milliwatt (1mW).
- (6) Where the application is through GETA the applicant shall submit additional information of the equipment for detailed evaluation by the Authority prior to certification, including user manuals (front page and equipment specification pages), sales brochures, technical data, photos of equipment (colour photographs, capturing front, rear, and side views), declaration of conformity, test reports/results and certificates, if any, from accredited body.
- (7) Equipment covered under GETA category shall include mobile phones and handheld devices, cordless telephones, terminal equipment (CPE), Wireless LAN equipment, walkie-talkie, Cable Modems, ADSL equipment, STBs high power radio communication equipment, complex/multi-line

equipment, PSTN switching systems, ISDN PRA/BRA equipment, PBX, mobile radio access network equipment, mobile network switching equipment, fixed and wireless broadband network equipment and any other related network equipment.

Technical  
evaluation and  
disposal

8.-(1) Technical evaluation of an equipment shall comply with the international and national standards and be carried out in the following manner:-

- (a) document examination; and
- (b) laboratory testing of equipment sample, where applicable.

(2) The samples of equipment to be submitted for testing shall be:-

- (a) in a good working condition;
- (b) properly configured for testing and complete with the necessary test adapters; and
- (c) clearly marked with the trade name, model and serial number.

(3) The applicant shall provide promptly technical details or clarifications as maybe required by the Authority.

(4) Subject to the provision of sub regulation (3), the application shall be rejected if the applicant fails to respond within three months and be informed in writing.

(5) After testing, the applicant shall be required to collect, within 60 days, any sample of equipment submitted, and the Authority shall not be obliged to return to the applicant any sample of equipment and associated documentation submitted for the purpose of type approval.

(6) Any sample of equipment submitted for testing shall be subject to disposal if not collected after twelve months from the date of submission.

*GN. No. 19 (contd.)*

Field tested equipment

9.-(1) Field tests shall be aimed at providing confidence that electronic communications equipment performs satisfactorily during normal operation.

(2) When requested, field tests shall also apply to new electronic communications equipment.

(3) Field testing of equipment shall take a maximum of three months.

Type approval certification

10.-(1) The Authority shall issue a type approval certificate to the successful applicant for a specific model of equipment.

(2) The approved equipment shall not be modified in any way without the approval and re-evaluation by the Authority.

(3) The type approval granted under these Regulations shall, in no case, be construed as a guarantee by the Authority of the proper functioning, performance or quality of the equipment.

(4) It shall be the duty of the supplier, importer or distributor to ensure that the approved equipment inter-works properly with the public electronic communication network.

(5) The Authority shall not be liable for any interference caused to any other equipment, injury or loss of life, or damage to property, arising as a direct or indirect result of the use of any approved equipment.

(6) In case of any doubt relating to the interpretation of type approval specification, the method of carrying out the test or the validity of the statements made by the manufacturers of the equipment, the decision of the Authority shall be final.

(7) Any approval or refusal by the Authority shall be made within two months from the date of application of such approval.

Connection of type approved equipment to the

11.-(1) The supplier, importer, distributor or seller shall, before selling any electronic

*GN. No. 19 (contd.)*

Public electronic communications network

communication equipment, ensure that the equipment meets the standards and specifications set out or adopted by the Authority.

(2) Subject to subsection (1), all traded single universal Set Top Boxes (STB) or Integrated Digital Television (iDTV) shall meet the standards and specifications set out or adopted by the Authority.

(3) Subject to subsections (1) and (2), the network and multiplex operators shall have no right to refuse the connections of type approved equipment.

Display of the label for type approved equipment

12.-(1) All electronic communication equipment complying with technical conditions shall be affixed with type approval label to be provided by the Authority.

(2) Every supplier, importer, distributor or seller shall, where applicable, ensure that an equipment offered for sale or for private use is clearly affixed with the type approval label containing the following:-

- (a) the logo of the Authority;
- (b) the type of the equipment; and
- (c) the alphanumeric identifications.

Withdrawal of approval of equipment

13. The Authority shall withdraw approval of any electronic communications equipment where it interferes with or pose any malfunction that degrades the efficiency of any electronic communication service.

Installation of approved equipment

14. The approved equipment shall be installed by a holder of Electronic Equipment Installation and Maintenance License or where the installation is done by any other person, such installation shall be certified by the holder of Electronic Communications Equipment Installation and Maintenance Licence.

*GN. No. 19 (contd.)*

Test for compliance

15. Measurements and tests for compliance shall be performed at the Authority's laboratory or by an agent designated by the Authority for that purpose.

List of approved electronic communications equipment

16. A list of approved electronic communications equipment shall be published in the Authority's periodical publications or website and local news papers.

#### PART IV GENERAL PROVISIONS

Type approval fees

17. Equipment type approval application and processing fees shall be as prescribed in the Electronic and Postal Communications (Licensing) Regulations 2018.

Action by the Authority

18.-(1) Any actions and omissions related to application and implementation of these Regulations may be appealed in a manner provided for by the Act.

(2) The Authority shall have the mandate to audit electronic communications equipment in the market to ensure prescribed regulations are adhered to.

(3) In the case that electronic communications equipment for use in the United Republic has a connection to a hosted database whether within or outside the United Republic, the Authority shall have full access to the hosted information whenever it deems necessary.

Quality of Services

19.-(1) Any network service provider shall ensure that the prescribed quality of service is not impaired by substandard equipment, whether network or terminal.

(2) Any service impairment caused by substandard equipment shall be reported to the Authority for necessary action.

Non-discrimination treatment

20. Equipment Standardisation shall be such that all electronic communications equipment for use in the United Republic undergo Type Approval certification by the Authority on a non-discriminatory manner.

Warranty

21.-(1) All electronic communications equipment for use in the United Republic shall be sold with a minimum warranty of twelve months.

(2) The warranty in sub-regulation (1) shall be offered as a separate signed form or as part of sales receipt and shall have clear description of covered services, including but not limited to, replacement or free maintenance during the warranty period.

(3) Any person who purchases any communications equipment shall demand a warranty and a receipt from the seller, distributor or importer of such equipment.

Penalty

22.-(1) Any vendor, importer, distributor or reseller of electronic communications equipment, that allows in the market equipment which has not been type approved by the Authority for use in the United Republic commits an offence and shall, on conviction, be liable to a fine of not less than five million shillings or to imprisonment to a term of not less than six months or to both.

(2) Any vendor, importer, distributor or reseller of communications equipment that sells any communications equipment without warranty as prescribed under these Regulations commits an offence and shall, on conviction, be liable to a fine of

not less than five million shillings or to imprisonment for a term of not less than six months or to both.

(3) Any person who uses any non-type approved electronic communications equipment commits an offence and shall, upon conviction be liable to a fine not less than five million shillings or to imprisonment term not less than six months or to both.

Compounding of offences

23. Where a person commits an offence under these Regulations, the Director General may, where such person admits in writing compound such offence by collecting from that person a sum of money not exceeding the amount of the fine prescribed for the offence.

Revocation of G.N No.421 of 2014

24. The Electronic and Postal Communications (Electronic Communications Equipment Standards) Regulations, 2014 are hereby revoked.

Dar es Salaam,  
03<sup>rd</sup> January, 2018

MAKAME M. MBARAWA,  
*Minister for Works, Transport and communications*