

GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 6 OF 2011

**The Information and Communication Technologies Act,
2009**

(Act No. 15 Of 2009)

**The Information and Communication Technologies
(Type Approval) Regulations, 2011**

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IN EXERCISE of the powers contained in section *ninety-one* of the Information and Communication Technologies Act, 2009, the following Regulations are hereby made:

PART I

PRELIMINARY

- | | | |
|----|--|----------------|
| 1. | These Regulations may be cited as the Information and Communication Technologies (Type Approval) Regulations, 2010. | Title |
| 2. | In these Regulations, unless the context otherwise requires — | Interpretation |
| | “Accredited Authority” means an institution responsible for the regulation of information and communications technologies and approval of apparatus of a foreign country which is designated as such by the Authority; | |
| | “Authority” has the meaning assigned to it in the Act; | |
| | “approved electronic communications apparatus” has the meaning assigned to it in the Act; | |
| | “communications” means telecommunications, radiocommunications and postal communications; | |
| | “communications service” means a service performed, consisting of the dissemination or interchange of sound, video or data content using postal, radio, or telecommunications media, excluding broadcasting; | |
| | “customer equipment” has the meaning assigned to it in the Act; | |
| | “data” means binary signals used to transmit information from a computer or one apparatus to another; | |
| | “electronic communication” has the meaning assigned to it in the Act; | |
| | “electronic communication apparatus” has the meaning assigned to it in the Act; | |
| | “electronic communications network” has the meaning assigned to it in the Act; | |
| | “electronic communications service” has the meaning assigned to it in the Act; | |
| | “emergency” means a catastrophic network breakdown as a result of natural causes or human induced including extreme weather, floods, lightning, fire, industrial action or lockout, war, military operation or civil disorder; | |

“harm” means a hazard to personnel, damage to electronic communications equipment, malfunction of electronic communication billing equipment, and degradation of service to a person other than the user of the equipment or the user’s calling or called party;

“interface” means—

- (a) a network termination point which is a physical connection point at which a user is provided with access to the electronic communications network; or
- (b) an air interface specifying the radio path between radio equipment, and their technical specifications;

“inter-operability” means the ability of two or more facilities or networks to be connected to exchange information and to use the information that is exchanged;

“network element” means a facility or apparatus used in the provision of an electronic communications service, and includes functions and capabilities that are provided by the facility or apparatus, including subscriber numbers, databases, signalling systems and information sufficient for billing and collection or used in the transmission, routing or other provision of electronic communications services;

“network termination point” means all physical connections and their technical access specifications, which form part of an electronic telecommunications network and are necessary for access to and efficient communication through that public network;

“technical construction file” means a file describing an apparatus and providing information and explanations as to how the essential requirements applicable to the apparatus are met; and

“type acceptance” means the verification of electronic communications apparatus tested and approved by an Accredited Authority for use in the Republic by the Authority.

PART II

APPROVAL AND CERTIFICATION

3. (1) Subject to sub-regulation (3), a licensee shall not refuse or object to the connection of all electronic communications apparatus approved by the Authority to any electronic communication network or system.

Right to connect approved electronic communications network or system

(2) An operator of an electronic communications network shall not refuse to connect terminal apparatus to appropriate interfaces, on technical grounds, where the apparatus complies with these Regulations.

(3) A licensee may refuse or restrict the connection of an approved electronic communications apparatus on an electronic communication network or system on the following grounds:

- (a) for the security of network operation;
- (b) for the maintenance of network integrity;
- (c) the inter-operability of services;
- (d) for data protection; or
- (e) to prevent any threat to the life and health or safety of users.

(4) A licensee may restrict the connection of an approved electronic communications apparatus to a network to ensure the security of network operations, in cases of emergency situations.

(5) A licensee shall not justify a restriction on the connection of an approved electronic communications network on the basis of the maintenance of network integrity except where it is for the protection of network equipment, software or stored data.

(6) A restriction by a licensee on the connection of approved apparatus on the basis of the protection of data shall be justified for the protection of personal data or confidentiality of information transmitted or stored.

(7) A licensee may take the following measures to safeguard the security of a network operation:

- (a) interruption of services;
- (b) limitation of service features;
- (c) denial of access to the network; and
- (d) services for new users.

(8) Where approved electronic communications apparatus malfunctions in a way which adversely affects the integrity of a network, or where there is damage or physical injury to a person, the licensee shall immediately disconnect the apparatus from the network.

(9) A licensee shall, before disconnecting any equipment in accordance with this regulation, inform the Authority, and give reasons for the disconnection.

(10) A licensee shall comply with the technical specifications determined by the Authority so as to—

- (a) ensure technical compatibility;
- (b) avoid technical harm to the electronic communications network of other licensees; and
- (c) prevent safety hazards to personnel during the connection of electronic communications apparatus to a network.

Type approval of electronic communications apparatus

4. (1) The Authority shall approve all electronic communications apparatus that are capable of connection to electronic communications network.

(2) All electronic communications apparatus shall comply with the technical standards applicable to individual types of apparatus which require approval by the Authority.

(3) A type approval may apply—

- (a) to a particular apparatus or to any apparatus of a description specified in the approval; and
- (b) for the purposes of a particular electronic communications apparatus of a specified description.

(4) A type approval procedure shall consist of—

- (a) type examination; and
- (b) declaration of conformity procedure.

(5) The Authority shall, in applying the type approval procedure

- (a) examine the technical documentation of an electronic communications apparatus and verify that the apparatus was manufactured in conformity with the relevant national standards;
- (b) cause to be performed the appropriate examinations and necessary testing checks for the essential requirements; and
- (c) test to check that the type meets the relevant national standards.

(6) The Authority shall cause to be displayed a type approval label on electronic communications apparatus which complies with approved technical conditions.

(7) A type approval label shall state—

(a) the letters or symbols that identify the Authority;

(b) that type approval has been granted;

and

(c) the type approval reference number in respect of the approved apparatus.

5. (1) The Authority may type accept electronic communications apparatus where it is satisfied that the apparatus has been tested and type approved by the Accredited Authority.

Type
acceptance

(2) An application for type acceptance shall be accompanied by a technical report containing—

(a) the full name and mailing address of the manufacturer of a device and the applicant for certification;

(b) a copy of the installation and operating instructions to be furnished to a user; and

(c) a detailed technical or operational documentation.

6. (1) A person shall apply for type approval in Form I set out in the First Schedule upon payment of the prescribed fee specified in the Second Schedule.

Application
for type
approval

(2) Where a device which is the subject of an application is designed to operate in conjunction with other apparatus whose characteristics affect the compliance of the device, the apparatus shall be type approved or where the apparatus is already type approved, the Authority type approval number shall be supplied.

(3) The Authority may publish notices of applications for and grants of type approval on its website and shall issue public notices of applications for and grants of type approval that it considers to be of special interest to the public in a daily newspaper of general circulation in Zambia.

(4) A person who has an interest in an application for the type approval of an apparatus may submit comments on the application to the Authority within five days of the date of the public notice and the applicant may file a reply to the comments within five days of the filing of the comments.

(5) A sample of an apparatus submitted by an applicant for purposes of type approval 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 a trade name, model and serial number.

(6) An apparatus submitted for type approval shall be submitted together with test reports from reputable test centres.

Grant of
type
approval

7. (1) The Authority may type approve electronic communications apparatus where—

- (a) the apparatus satisfies the essential requirements provided in these Regulations;
- (b) the information on the apparatus is provided in accordance with these Regulations;
- (c) the appropriate conformity assessment procedure in respect of the apparatus is carried out;
- (d) the authorised mark is affixed to the apparatus by the manufacturer of the apparatus or by the person responsible for the apparatus; and
- (e) a declaration of conformity is drawn up in respect of the manufacturer of the apparatus or a person responsible for the apparatus.

(2) The Authority may type approve an apparatus where it finds from an examination of the application made under regulation 6 and such other matters as it may consider necessary, that the apparatus complies with the prescribed standards or that the grant of the type approval shall serve the public interest.

(3) Notwithstanding that stress may result in partial or total destruction of an apparatus, type approved apparatus shall comply with the criteria prescribed by these Regulations before and after the application of each of the following mechanical and electrical stresses:

- (a) vibration;
- (b) temperature and humidity;
- (c) shock;
- (d) metallic voltage surge; and
- (e) longitudinal voltage surge.

(4) Where the Authority issues a type approval, the person in respect of whose apparatus the approval is granted shall cause it

to be permanently affixed to the apparatus in a manner that is readily visible to a purchaser at the time of purchase.

(5) A grant of type approval is valid only where the approved identification mark is permanently affixed to the apparatus, and remains effective until it is revoked, withdrawn, rescinded or surrendered, or where a termination date is specified by the Authority.

(6) A person in respect of whom any type approval is granted shall be responsible to the Authority for any apparatus produced using the approval.

(7) A type approval identification mark shall be attached to any apparatus subsequently marketed by a licensee, which is identical to the tested sample.

(8) The approval by the Authority of any electronic communications apparatus may specify the conditions to be complied with which may impose on the person to whom the approval is given, a requirement to satisfy another person with respect to any matter related to the approval of the electronic communications apparatus.

(9) Where a person is granted type approval for an apparatus by the Authority, the apparatus to be sold shall be similar to the model that is granted the type approval and the approved apparatus shall not be modified in any way without the approval of the Authority.

(10) A type approval granted under this regulation shall not be construed as a guarantee by the Authority of the proper functioning, performance or quality of the apparatus.

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

8. (1) The Authority may issue a certification or equipment authorisation for electronic communications apparatus based on representations and test data submitted by an applicant.

Certification
of
equipment

(2) A grantee of an equipment authorisation shall guarantee and give a warrant that each unit of equipment marketed under the grant and bearing the identification specified in the grant shall conform to the unit that was measured and that the data, including the design and rated operational characteristics, filed with the application for certification, continues to be representative of the

equipment produced under the grant within a variation that can be expected due to quantity production and testing on a statistical basis.

(3) The Authority may require an applicant to submit sample apparatus for measurement at such place as the Authority may specify.

(4) The Authority may request a party responsible for an apparatus to submit the apparatus so as to determine the extent to which subsequent production of the apparatus continues to comply with the data filed by an applicant or data kept on file with that party, subject to a declaration of conformity.

(5) A party referred to in sub-regulation (4) shall prepare data demonstrating compliance using a measurement procedure approved by the Authority.

(6) Information on measurement submitted to the Authority by a party in terms of sub-regulation (5) shall identify the specific standard or measurement procedure used.

(7) A party making measurements of apparatus that is subject to type approval, whether the measurements are filed with the Authority or kept by the party responsible for the compliance of the equipment, shall compile a description of the measurement facilities employed.

(8) A description of measurement facilities made by a party under sub-regulation (7) shall contain—

- (a) the location of a test site;
- (b) the physical description of a test site, accompanied by photographs;
- (c) a drawing showing the dimensions of a test site, the physical layout of all supporting structures and all structures within five times the distance between a measuring instrument and an apparatus which is measured;
- (d) a description of structures used to support an apparatus which is measured and the test instrumentation;
- (e) a list of measuring instruments used;
- (f) information concerning the calibration of the measuring instrument, including the date the instrument was last calibrated and how often the instrument is calibrated;
- (g) a statement on whether a test site is available to perform measurement services to the public at a fee.

9. The Authority shall, at such time as it may determine, issue a list of approved electronic communications apparatus, their technical specifications and applicable type approval fees.

List of approved apparatus

10. (1) The Authority shall set the technical standards for specified customer apparatus or terminal apparatus.

Technical standards for customer terminal equipment

(2) The Authority may make or adopt the following types of standards:

- (a) technical standards for customer apparatus;
- (b) standards relating to the features of customer apparatus that are designed to cater for the special needs of persons with disabilities; and
- (c) technical standards for the interconnection of networks or network elements.

(3) The technical standards adopted by the Authority shall consist of requirements which are necessary or convenient for

- (a) protecting the integrity of an electronic communications network or network element;
- (b) protecting the health or safety of persons who operate, work on, use services supplied by means of, or are likely to be affected by the operation of an electronic communications network or network elements;
- (c) ensuring that customer apparatus are capable of uninterrupted access to emergency services;
- (d) ensuring, for the purpose of the supply of a standard communications service, the inter-operability of customer apparatus with an electronic communications network to which the apparatus is proposed to be connected; and
- (e) giving effect to any matters prescribed by these Regulations or any other law.

(6) The Authority shall, before adopting a technical standard, so far as is practicable, ensure that

- (a) an interested person is given an adequate opportunity to make representations about the proposed standard; and
- (b) due consideration is given to any representation made concerning the technical standard.

11. (1) Where a type approval is granted by the Authority, the following parties are responsible for the compliance of electronic communications apparatus with the applicable standards:

Responsibility for equipment compliance

- (a) in the case of apparatus which requires the issuing of a grant of type approval by the Authority, the grantee to whom the type approval is issued;
- (b) where the electronic communications apparatus is modified by a party who is not the person in respect of whose electronic communications apparatus the type approval was granted and that party is not working under the authorisation of the person to whom the type approval was granted, the party that performs the modification; and
- (c) in the case of equipment subject to type acceptance
 - (i) a manufacturer or, where the equipment is assembled from individual component parts and the resulting system is subject to type acceptance, the assembler;
 - (ii) where the apparatus, by itself, is subject to a type acceptance and it is imported, the importer;
 - (iii) where electronic apparatus is modified by any party without the approval of a responsible party, the party performing the modifications, or an importer, if the apparatus is imported subsequent to the modifications.

Obligations
of importer
and
distributor

12. (1) An importer or distributor shall, before selling any apparatus, ensure that the apparatus meets the standards and specifications set by the Authority, and that the apparatus works compatibly with other apparatus within the electronic communications networks.

(2) An importer or distributor shall ensure that any equipment offered for sale for local use in Zambia is clearly labelled or affixed with—

- (a) the trade name, model name and serial number;
- (b) the manufacturer's or supplier's name; and
- (c) a type approval label, approved by the Authority.

Conformity
of
equipment

13. (1) A manufacturer of an apparatus, or an authorised representative of the manufacturer, shall certify that the apparatus has been made in conformity with a standard that has received type approval and shall affix a mark to each apparatus and cause to be prepared a declaration of conformity to accompany the apparatus.

(2) A manufacturer shall maintain technical documentation relating to an apparatus for at least ten years for the purpose of periodic inspections by the Authority to ensure conformity with a type approval.

(3) Where a manufacturer of an apparatus, or an authorised representative of a manufacturer, is not established within the Republic, the person who places the product on the market in the Republic shall keep the technical documentation in terms of subsection (2).

(4) A manufacturer of an apparatus, or an authorised representative of a manufacturer, shall ensure that the technical documentation relating to the apparatus enables the assessment of the conformity of the product with the essential requirements and covers the design, manufacture and operation of the apparatus, and in particular stipulates—

- (a) a general description of the product;
- (b) a conceptual design, manufacturing drawings and schemes of components, sub assemblies and circuits;
- (c) the descriptions and explanations necessary for the understanding of the drawings and schemes and the operation of the product;
- (d) a list of the standards, applied in full or in part, and the descriptions and explanations of the solutions adopted to meet the essential requirements of the standard, where the standards have not been applied or do not exist;
- (e) the results of design calculations made and examinations carried out; and
- (f) the test reports.

(5) A manufacturer of an apparatus, or an authorised representative of the manufacturer, shall keep a copy of the declaration of conformity with the technical documentation.

(6) A manufacturer of an apparatus shall take all necessary measures during a manufacturing process to ensure compliance of a manufactured apparatus with the technical documentation and these Regulations.

14. (1) The Authority shall authorise the sale, lease, offer for sale or lease, importation, shipment or distribution for the purpose of selling, leasing or offering for sale or lease, of any electronic communications apparatus.

Marketing of
equipment

(2) The electronic communications apparatus referred to in sub-regulation (1) shall be approved by the Authority before its use.

(3) An electronic communications apparatus may be advertised or displayed at a trade show or exhibition before type approval or, in the case of a device that is not subject to the type approval requirements, before a determination of compliance with the applicable technical requirements.

(4) The advertisement or display made under sub-regulation (3) shall contain a conspicuous notice stating that the electronic communications apparatus is not type approved by the Authority and may not be offered for sale or lease or sold or leased, until the authorisation of the Authority is obtained.

(5) Where a displayed electronic communications apparatus is a prototype of another apparatus that is type approved and the prototype is not type approved due to differences between the prototype and the type approved apparatus, a disclaimer notice may be stated instead of a notice specified under sub-regulation (4), which provides that the prototype is not for sale.

(6) An electronic communications apparatus shall not be marketed before type approval or the determination of compliance with the applicable technical requirements, but may be operated for

- (a) compliance testing;
- (b) demonstration at a trade show;
- (c) demonstration at an exhibition conducted at a business, commercial, industrial, scientific or medical location;
- (d) evaluation of product performance and the determination of customer acceptability at a manufacturer's facility during the developmental, design or pre production stages; or
- (e) evaluation of product performance and the determination of customer acceptability, where customer acceptability of the apparatus cannot be determined at a manufacturer's facility because of size or the unique capability of the apparatus.

(7) A person shall not operate or supply customer apparatus which is not approved by the Authority or have in the person's possession customer apparatus if the possession is for the purpose of operating or supplying that apparatus.

15. (1) A manufacturer or importer of specified customer apparatus shall affix on the apparatus a mark that indicates that the equipment or cabling meets the prescribed standards.

Labelling
requirement

(2) A manufacturer or importer shall, before a mark is affixed on an electronic communications apparatus, comply with the following requirements:

- (a) the manufacturer or importer shall obtain certification from the Authority that the apparatus complies with the prescribed standards;
- (b) the apparatus shall be tested by a recognised testing authority for compliance with the prescribed standards;
- (c) a manufacturer or importer shall—
 - (i) conduct quality assurance programs;
 - (ii) be satisfied that quality assurance programs are conducted; and
 - (iii) have regard to the results of quality assurance programs; and
- (d) a manufacturer or importer shall make a written declaration in relation to the equipment or cabling.

(3) The standards set by the Authority may specify the requirements that may be complied with after a mark is applied to customer apparatus, including a requirement that a manufacturer or importer retains for inspection, for the period specified —

- (a) the records of the quality assurance programs;
- (b) the records of results of any tests conducted in relation to compliance with the standards; and
- (c) a declaration of conformity or a copy of the declaration.

16. (1) A person may submit to the Authority

- (a) a complaint or representation on the performance of any apparatus that is type approved; or
- (b) an objection against a type approval of any apparatus.

Complaints
against
harmful
apparatus

(2) A complaint or representation on an apparatus shall state

- (a) the name and address of the complainant;
- (b) the name and address if known, of the person against whom the complaint is made; and
- (c) the facts, including supporting data where available,

showing that the apparatus does not conform to the requirements of these Regulations and that the apparatus may cause harmful interference to an electronic communications network or is a risk to human health or the environment.

(3) The Authority shall forward a copy of the objection or representation on an apparatus to the applicant or holder of a type approval and give the applicant or holder an opportunity to reply to the representation or objection.

(4) The Authority shall, in considering a request to revoke a type approval or in evaluating the performance of any equipment which is type approved take into account any complaint or representation made under sub-regulation (1).

PART III

GENERAL PROVISIONS

Application
for facility
installation

17. (1) A licensee shall, before carrying out any installation of any apparatus, request the Authority in writing, for a facility installation clearance in accordance with the standards for performance and operation of equipment or electronic communications apparatus made pursuant to section *sixty-five* of the Act.

(2) The Authority may, after considering the request made under sub-regulation (1), issue an installation clearance authorising the applicant to carry out the installation of the facility specified in the application.

(4) The Authority shall not issue an installation clearance unless the Authority is satisfied that —

- (a) the electronic communications network to which the facility relates is, or is likely to be, of national significance;
- (b) the facility is, or is likely to be, an important part of the electronic communications network to which it relates;
- (c) any of the following conditions are met:
 - (i) the greater part of the infrastructure of the electronic communications network to which the apparatus relates is already installed;
 - (ii) a greater part of the infrastructure of the electronic communications network to which the apparatus relates is not installed but each regulatory authority whose approval is required for the

installation of the greater part of the infrastructure of the network gives, or is reasonably likely to give, the approval; or

(iii) no part of the infrastructure of the electronic communications networks to which the facility relates is installed, but each regulatory authority whose approval is required for the installation of a greater part of the infrastructure of the network gives, or is reasonably likely to give the approval;

(d) the advantages that are likely to be derived from the operation of the apparatus in the context of the electronic communications network to which the facility relates outweigh any form of degradation of the environment that is likely to result from the installation of the apparatus; and

(e) the applicant makes reasonable efforts to negotiate in good faith with

(i) each proprietor whose approval is required, or would be required to carry out an installation; and

(ii) each regulatory authority whose approval is required, or would be required, to carry out an installation.

(5) The Authority shall, in determining whether a network is of national significance, consider—

(a) the geographical reach of the network;

(b) the number of customers connected, or likely to be connected, to the network;

(c) the importance of the network to the national economy; and

(d) any other matters the Authority may consider relevant.

(6) The Authority shall, in determining whether an apparatus is an important part of a network, consider—

(a) the technical importance of the apparatus in the context of the electronic communications network to which the facility relates;

(b) the economic importance of the facility in the context of the electronic communications and radiocommunications networks to which the facility relates; and

- (c) the social importance of the apparatus in the context of the electronic communications networks to which the apparatus relates.

(7) The Authority shall, in determining whether the advantages of an apparatus outweigh the disadvantages of degradation of the environment, consider—

- (a) the extent to which the installation of the apparatus is likely to promote the long term interests of end users of electronic communications services or of services supplied by means of electronic communications services;
- (b) the impact of the installation, maintenance or operation of the apparatus on the environment;
- (c) the objective of facilitating the timely supply of efficient, modern and cost effective services to the public;
- (d) any relevant technical or economic aspects of the installation, maintenance or operation of the apparatus in the context of the electronic communications network to which the facility relates;
- (e) whether the installation of the apparatus contributes to the fulfilment of a universal service obligation by the applicant;
- (f) whether the installation of the apparatus involves co location with one or more other apparatus;
- (g) whether the installation of the apparatus facilitates co location, or future co location, with one or more other apparatus; and
- (h) any other matter that the Authority may consider relevant.

(8) An installation clearance issued in terms of sub-regulation (2) in relation to an apparatus or facility may be subject to a condition requiring the holder to—

- (a) undertake an assessment or a further assessment of the environmental impact of the installation of the apparatus concerned;
- (b) consult a particular person or body on the installation of the apparatus concerned; and
- (c) obtain the approval of a particular person or body on the installation of the facility concerned.

18. (1) A licensee who has reasonable grounds to believe that the apparatus connected to the licensee's network is likely to be a threat or is a threat to the health or safety of any person who operates, works or uses the services supplied by an electronic communications network or apparatus, may disconnect the apparatus and shall notify the Authority of the disconnection as soon as is practicably possible.

Disconnection
of
dangerous
equipment
and cabling

(2) Where a licensee disconnects any apparatus connected to the licensee's network and the Authority determines that there is no reasonable ground for the disconnection, it may, by written notice to the licensee, direct the licensee to reconnect the apparatus.

(3) Where the Authority determines that a licensee had no reasonable grounds for the disconnection of an apparatus under sub-regulation (1) and that as a result of the disconnection a person suffered loss or damage, that person may apply to the Authority for the recovery from the licensee, of the amount of loss or damage suffered.

(4) The Authority may, by written notice to a licensee, declare that the operation, supply or possession of specified customer apparatus is prohibited for reasons that it may specify in the notice.

(5) A notice issued by the Authority under sub-regulation (4) shall relate to—

- (a) the protection of the integrity of an electronic communications network or apparatus; and
- (b) the protection of the health or safety of a person who operates, works on or uses services supplied by means of the electronic communications network or facility, or who is likely to be affected by the operation of the electronic communications network or facility.

(6) The Authority shall publish a copy of the notice referred to under sub-regulation (5) in at least one daily newspaper of general circulation in Zambia and in the *Gazette*.

19. (1) The Authority may, where it has reasonable grounds to suspect that an authorised mark is affixed to an apparatus without compliance to these Regulations, serve a notice in writing on—

Enforcement
notice

- (a) the manufacturer of the apparatus or the manufacturer's authorised representative in the Republic; or
- (b) the person responsible for placing the apparatus on the market in the Republic.

(2) A notice served under sub-regulation (1) shall—

- (a) state that the Authority reasonably suspects that the authorised marking was not correctly affixed to the apparatus;
- (b) specify the circumstances which gave rise to the Authority's suspicion of the anomaly and give particulars of the circumstances;
- (c) require a person to whom the notice is given—
 - (i) to ensure that any apparatus to which the notice relates conforms to the correct affixation of the authorised mark within such period as may be specified in the notice; or
 - (ii) to provide evidence within a specific period to the satisfaction of the Authority, that the mark is correctly affixed; and
- (d) give a warning that if the non conformity continues, or if satisfactory evidence is not provided within the period specified in the notice, further action may be taken under these Regulations in respect of that apparatus or apparatus of a similar type placed on the market by the person to whom the notice is given.

(3) Where the Authority has reasonable grounds to believe that a licensee is contravening or has contravened any of the provisions of the Act or these Regulations or the conditions of a licence, the Authority shall conduct an investigation for the purpose of securing compliance.

FIRST SCHEDULE
(Regulation 6)

PRESCRIBED FORM

Form I
(Regulation 6)
(To be completed in triplicate)

THE ZAMBIA INFORMATION AND COMMUNICATIONS TECHNOLOGY
AUTHORITY

The Information and Communication Technologies Act, 2009
(Act No. 15 of 2009)

The Information and Communication Technologies
(Type Approval) Regulations, 2010

| APPLICATION FOR TYPE APPROVAL | | | |
|---|--|--------------|-------------|
| | Shaded fields for official use only | Licence code | |
| | | Date/Time | |
| Information Required | Information Provided | | |
| 1. Type of Licence | | | |
| 2. (a) Name(s) of applicant(s) | | | |
| (b) Type of applicant | Individual | Company | Partnership |
| 3. (a) Nationality (b) Identity card (National Registration Card No. or Passport No.) – Attach copies | | | |
| 4. (a) Notification Address Tel: Fax E-mail (b) Information of contact person authorised to represent the applicant Tel: Fax E-mail | | | |
| 5. (a) Company name (b) Company address (c) Company registration No. (Attach certified copies of certificate of registration) | | | |
| 6. Previously held licences in Zambia, if any, by applicant issued under the Information and Communication Technologies Act, 2009 | Licence (Type and Licence No.) (a) (b) (c) | | |

| | | | |
|-----|---|--|---|
| | (d) (e) (f) | | |
| 7. | Currently held licences in Zambia, if any, by applicant issued under the Information and Communication Technologies Act, 2009 | Licence (Type and Licence No.) (a) (b) (c) (d) (e) (f) | |
| 8. | Identification of equipment | Technical description of equipment | Purpose for which type approval is required (a) (b) (c) (d) (e) (f) |
| 9. | <p>Have you been convicted of an offence involving fraud or dishonesty or of any offence under the Information and Communication Technologies Act, 2009, or any other law within or outside Zambia?</p> <p>If yes, specify details:.....</p> <p>Nature of offence:.....</p> <p>Date of Conviction:.....</p> <p>Sentence:.....</p> | | |
| 10. | Appendices | | |
| | Appendix 1: | Attach relevant detailed technical or operational documentation, including - (a) the full name and mailing address of the manufacturer of the device and the applicant for type approval; and (b) A copy of the installation and operating instructions to be furnished to a user. | |
| | Appendix 2: | Four colour photographs of SR size, capturing front, rear, side views and the product label (inclusive trade name, model name and other relevant particulars). | |
| | Appendix 3: | Letter from equipment manufacturer's representative authorising vendor to act as agent. | |
| | Appendix 4: | Copy of test report from manufacturer or an accredited test laboratory. | |
| | Appendix 5: | Certificate of conformity issued by any competent body. | |
| | Appendix 6: | Across-referenced compliance statement from the suppliers of the equipment | |
| | Appendix 7: | Any other information that the Authority may require. | |

DECLARATION

I/we declare that all the particulars and information provided in this application are complete, correct and true and I/we agree that in the event that any of the said particulars and information provided is found to be untrue or fraudulent, the approval will be revoked.

I/we agree that in the event of the revocation of the approval, any fee paid to the Authority for that approval shall be forfeited.

I/we declare that in the event that the nature of my/our business changes, or I/we no longer carry out operations in terms of the approval, I/we will notify the Authority in which case my/our approval may be revoked or revised.

Declared at this day of 20 by the following persons who are duly authorised to sign for, and on behalf of, the applicant under the authority of the Power of Attorney or Board Resolution which is hereby attached

Applicant's name

Date

Applicant's signature

FOR OFFICIAL USE ONLY

Received by: _____
Officer

RECEIPT No. _____

Amount Received _____

Serial No. of application: _____

STAMP

SECOND SCHEDULE
(Regulation 6)

| <i>Type of Equipment</i> | TYPE APPROVAL FEES | | |
|--|--|--|-----------------------------------|
| | <i>Type Approval Per Model</i> | <i>Type Acceptance Per Model</i> | <i>Modification per Model</i> |
| Terminal Equipment | | | |
| ADSL (Full-rate) Modem | 25000 | 12500 | 1400 |
| bADSL (G. Lite) Modem | 25000 | 12500 | 1400 |
| ADSL Multimode (Full-rate & G.Lite) Modem | 33000 | 1700 | 1400 |
| Cable Modem | 25000 | 12500 | 1400 |
| Coinphone / Payphone | 25000 | 12500 | 1400 |
| ISDN NTI Equipment | 25000 | 12500 | 1400 |
| Key Telephone Systems | 33000 | 17000 | 1400 |
| Telephony terminals | 6800 | 3400 | 1400 |
| Facsimile Transceivers | 6800 | 3400 | 1400 |
| Data modems | 5100 | 2550 | 1400 |
| Router/data switch | 6800 | 3400 | 1400 |
| Fixed Wireless Loop | 25000 | 12500 | 1400 |
| ISDN Basic Rate Access Equipment | 25000 | 12500 | 1400 |
| Other Terminal Equipment | 15000 | 7500 | 1400 |
| Distribution Equipment | | | |
| ISDN Primary Rate Access | 33000 | 17000 | 14000 |
| ISDN Basic Rate Access Equipment with built-in NTI | 33000 | 17000 | 14000 |
| Multi-Line System | 33000 | 17000 | 14000 |
| Private Automatic Branch Exchange | 33000 | 17000 | 14000 |
| Voice Messaging System | 33000 | 17000 | 14000 |
| Core Equipment | | | |
| Network Management System | 33900 | 16950 | 14000 |
| ATM UNI Equipment | 33000 | 17000 | 14000 |
| Other core network equipment | 30000 | 15000 | 14000 |
| Radio Equipment | | | |
| Cordless Phone (CT-O) Line Interface | 20000 | 9700 | 14000 |
| HF/VHF/UHF For use in private radio networks | 10200 | 5100 | 1400 |
| Radio alarm transmitter | 6800 | 3400 | 1400 |
| Radio Broadcast transmitter | 13600 | 6800 | 1400 |
| Television Broadcast Transmitters | 13600 | 6800 | 1400 |
| Studio-to-Transmitter Link (STL) | 8500 | 4250 | 1400 |
| Cellular Telephones (GSM, CDM, 3G.etc) | 13600 | 6800 | 1400 |
| Cellular/Fixed Wireless systems(Base Station) | 13600 | 6800 | 1400 |
| Cellular/Fixed Wireless systems (transmission) | 8500 | 4250 | 1400 |
| RFID Terminals | 7800 | 3900 | 1400 |
| Satellite Earth Terminals & devices (GMPCS, VSATs etc) | 13600 | 6800 | 1400 |
| Other Radio Equipment | 10000 | 5000 | |

G. Lung'angwa,
*Minister of Communications,
and Transport*

Lusaka

27th December, 2010