

GOVERNMENT NOTICE NO.65 published on 28/01/2022

THE ELECTRONIC AND POSTAL COMMUNICATIONS ACT

(CAP. 306)

**REGULATIONS**

*(Made under section 165)*

THE ELECTRONIC AND POSTAL COMMUNICATIONS  
(DIGITAL AND OTHER BROADCASTING NETWORKS AND SERVICES)  
(AMENDMENT) REGULATIONS, 2022

ARRANGEMENT OF REGULATIONS

<i>Regulation</i>	<i>Title</i>
1.	Citation.
2.	Amendment of regulation 2.
3.	Amendment of regulation 3.
4.	Amendment of regulation 6.
5.	Amendment of regulation 14.
6.	Amendment Part IV.
7.	Amendment of regulation 16.
8.	Amendment of regulation 18.
9.	Amendment of regulation 23.
10.	Amendment of regulation 29.
11.	Amendment of regulation 30.
12.	Amendment of regulation 32.
13.	Amendment of regulation 35.

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|------------------------------|---|
| Citation                     | <b>1.</b> These Regulations may be cited as the Electronic and Postal Communications (Digital and Other Broadcasting Networks and Services) (Amendment) Regulations, 2022 and shall be read as one with the Electronic and Postal Communications (Digital and Other Broadcasting Networks and Services) Regulations, 2018, hereinafter referred to as the “principal Regulations”.  |
| GN. No.<br>140 of 2018       |   |
| Amendment of<br>regulation 2 | <b>2.</b> The principal Regulations are amended in regulation 2 by deleting paragraph (b) and substituting for it the following:<br>“(b) hybrid broadcast broadband systems;”   |
| Amendment of<br>regulation 3 | <b>3.</b> The principal Regulations are amended in regulation 3 by<br>(a) adding in its appropriate alphabetical order the following new definitions:<br>“live programmes” means a segment of radio or television content that is broadcast and received at the same time as aired through various media platforms, scheduled daily, weekly, monthly or quarterly without any significant delay;<br>“live events” means an unscheduled segment of radio or television content on public or social occasion broadcast and received in real time without any significant delay;<br>(b) deleting the definition of the following terms and |

substituting for it the following:

“channel aggregator” means a person licensed to package content service channels into a specific basket of channels for distribution to consumers by subscription;

“hybrid network” means a multiplatform network which distributes signals using a number of digital electronic media which can be used in part or a combination of terrestrial, satellite, combination of terrestrial, satellite and internet platform;

“support services” means a service which consists of the provision of management services to enable consumers to subscribe to content services provided by a channel aggregator; and

(c) deleting the following terms:

“analogue broadcasting”

“Amplitude Modulation”

“existing content services provider”

“frequency assignment”

“Frequency Modulation”

“licence period”

“Live”

“Local entities”

“Motion Picture Expert Group”

“subscriber”.

Amendment of  
regulation 6

**4.** The principal Regulations are amended in regulation 6 by deleting paragraph (c) and substituting for it the following:

“(c) to facilitate provision of infrastructure, content aggregation and programme bouquet handling system that supports data paths embedded in the video stream based on open source (non-proprietary) multimedia system to enable Electronic Programme Guide (EPG) and Electronic Programme Information (EPI) for Free-To-Air (FTA) and Conditional Access for subscription services;”.

Amendment of  
regulation 14

**5.** The principal Regulations are amended by deleting regulation 14 and substituting for it the following:

“Set top box  
approval

**14.** A person who intends to import, distribute, install, assemble, or maintain integrated digital television, set

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top box, digital radio receiver or any other customer premise equipment for digital broadcasting reception shall apply to the Authority for a respective class licence.”

Amendment  
Part IV

**6.** The principal Regulations are amended by deleting the title of Part IV and substituting for it with the following:

**“PART IV  
SUBSCRIPTION BROADCASTING SERVICES”**

Amendment of  
regulation 16

**7.** The principal Regulations are amended by deleting regulation 16 and substituting for it the following:

“Advertising on subscription channels **16.** A subscription channel may have sponsored programmes and commercial advertisements for a period not exceeding five minutes per hour.”

Amendment of  
regulation 18

**8.** The principal Regulations are amended by deleting regulation 18 and substituting for it the following:

“Carriage of local free to air channels” **18.** (1) Free to Air Content Service Providers shall transmit and distribute signal through licensed multiplex operators’ networks.

(2) Without prejudice to subregulation (1), a Free to Air content service licensee may enter into commercial arrangement with any other platform for transmission and distribution of signal.

(3) Where a Free to Air content service licensee enters into commercial arrangement with any other platforms pursuant to subregulation (2), the Free to Air content shall be viewed without access fees.

(4) Where a Free to Air

content services licensee enters into commercial arrangement with any other platforms pursuant to subregulation (2), the Free to Air content service licensee shall transmit and distribute its signals through licensed multiplex operators' networks to attain terrestrial coverage of not less than twenty administrative regions in Mainland Tanzania.

Amendment of  
regulation 23

**9.** The principal Regulations are amended by deleting regulation 23 and substituting for it the following:

“Content  
services  
infrastructure

**23.** The infrastructure for content services shall not be used for any other communication services without prior approval of the Authority.”

Amendment of  
regulation 29

**10.** The principal regulations are amended by deleting regulation 29 and substituting for it the following:

“Subscription  
television  
programmes

**29.**-(1) A subscription content service licensee shall not broadcast news, current affairs and live programmes.

(2) Subject to subregulation (1), a subscription content service provider may broadcast live events.”

Amendment of regulation 30

**11.** The principal regulations are amended by deleting regulation 30 and substituting for it the following:

“Notification for channels aggregation

**30.**-(1) A channel aggregator shall not add or remove a content service channel without prior notification to the Authority.

(2) The notification under subregulation (1), shall be in writing and state the following:

- (a) name of the channel;
- (b) nature of the channel and its content;
- (c) country where the channel is packaged;
- (d) full name of channel supplier;
- (e) primary language of the channel; and
- (f) duration of the channel where it is a special event channel.

(3) Upon notification under subregulation (2), the Authority may review the channel and issue any directives as it may deem necessary.”

Amendment of regulation 32

**12.** The principal regulations are amended by deleting regulation 32 and substituting for it the following:

“Licensing of multiple television channels

**32.** In licensing of multiple television channels locally produced, the Authority shall take into consideration that each channel has-

- (a) separate licence; and
- (b) service level agreement with a

channel aggregator.”

Amendment of  
regulation 35

**13.** The principal Regulations are amended in regulation 35-

- (a) by deleting the marginal note and substituting for it the following:  
“Resolution of Dispute on Service Level Agreements”;
- (b) in subregulation (1), by deleting the words “appeal to the Authority and serve to the opposite party a copy of document containing the appeal” and substituting for them the words “may refer the matter to the Authority for resolution.”;
- (c) by deleting the opening phrase of subregulation (2) and substituting for it the following:  
“(2) Subject to subregulation (1), the party that refers a matter to the Authority shall provide all relevant information concerning-”;

- (d) by deleting subregulation (3) and substituting for it the following:  
“(3) A licensee against whom a matter under subregulation (2) has been referred to the Authority shall file a reply within twenty one days from the date the matter was referred.”;
- (e) by deleting subsection (5) and substitute for it the following:  
“(5) Where any party refuses or fails to respond within thirty days from the date of any request by the Authority, the Authority may proceed to determine the matter on the basis of the information available and make a determination on the issues including imposing conditions for implementation by parties to the agreement.”; and
- (f) by deleting subregulation (6).

Dodoma,  
26<sup>th</sup> January, 2022

**NAPE M. NNAUYE**  
*Minister for Information, Communication and  
Information Technology*