



## **ANNEX 3**

### **FEEDBACK REQUIRED FROM THE CONSULTATIONS**

#### **THE SUMMARY OF PRELIMINARY PROPOSAL BY THE AUTHORITY**

The following are some of the summarized proposal solutions for comment to put in place to enable the Authority to perform its functions efficiently and effectively. These include all other possible solutions available discussed as follows:

- a. To implement the Type Approval Verification System to enhance technical compliance for SIM Enabled devices imported into Botswana.
- b. To deploy a counterfeit blocking mechanism that will reduce incidents of non-compliant devices using networks.
- c. To consider an upgraded and up-to-date centralized Device-SIM database that shall be used to manage devices connecting to networks.
- d. To adopt the proposed Type Approval Verification (SIM Enabled Devices) Guidelines to guide the registration process.
- e. To implement the registration of devices by the supply chain before the device can be used in the network.
- f. Collaboration with GSMA on identification of devices using IMEI.

- g. Collaboration with BURS - Pre Market Entry being the clearance and surveillance of the SIM Enabled devices-Pre market entry.

In view of the background information and the problem statement to this consultation paper, stakeholders are hereby requested to provide responses, comments and proposals in line with the following questions:

- i. Is the problem of non-compliant devices a real concern to your, should it be addressed?
- ii. How can governments and other stakeholders best address the issue of counterfeit and substandard mobile devices?

- iii. How can anti-counterfeit measures be framed to also consider consumers who have unwittingly purchased counterfeit devices?

- iv. Are you aware that there are counterfeit phones and other devices on the Botswana market? If yes, explain.

- v. Do you think that there is importation of mobile devices in Botswana without the knowledge of Authorities?

- vi. Should Botswana follow the steps of other countries benchmarked on that have put in place controls to prevent entry of counterfeit devices?

- vii. Do you have any suggestion to improve further the proposed solutions as discussed in the discussion paper?

- viii. What should be included in the Mobile Device Registration the Guidelines for the device registration? Please furnish your comments with justification.

- ix. Do you envisage any issues that could impact or be impacted by the implementation of Device Registration System?

- x. How should invalid/illegal devices be treated, should there be any grace period?

- xi. Do you have comments on the registered mobile device classification categories (white, grey and backlisting) identified in the Device Registration Guidelines?

- xii. The issue related to denial of service in case of non-compliant devices is provided for in the Guidelines. Do you have any suggestions or comments on the issue?

- xiii. How do you suggest that BOCRA should undertake consumer awareness regarding non-compliant counterfeit devices?

- xiv. Do you think that BOCRA should run special awareness programs for business stakeholders and supply chain? If so, what kind of programs do you suggest?

- xv. Which notifications can be sent to subscribers regarding the status of their devices, for instance when a subscriber is using a reported registered lost phone?

- xvi. Who should bear the responsibility of disposing the blocked devices?

- xvii. Who should pay for the SMS services to the users?

- xviii. Should the type approved, and registered devices be marked with the Authority's mark?

- xix. Should the mobile device audit be conducted?

xx. What do you propose should be done with the registered lost, stolen and damaged devices?

The stakeholders are further invited to make comments on any related issue not covered by the questions.

The consultation paper and the draft Guidelines can also be accessed at the following URL: [www.bocra.org.bw](http://www.bocra.org.bw).

The respondents are invited to comment on any other issues not covered in this consultation document which they consider to be relevant to this consultation.

The Authority will carefully consider comments submitted and take them into account when assessing the need for regulatory intervention. Respondents are required to include their personal /company particulars as well as correspondence address in their submission to this consultative document.

The Authority reserves the right to make public all written submission made in response to this consultation paper and to disclose the identity of respondents.

Comments, suggestions and clarifications from Stakeholders can be send to the Department of Technical Services of BOCRA to the email addresses below On or before the **16 November 2020**.

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