



# **MIGRATION/CONVERSION PLAN BY EXISTING LICENSEES TO NEW ICT LICENSING FRAMEWORK IN BOTSWANA**

**SEPTEMBER 2015**



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## **PREAMBLE**

In line with its mandate, as spelled out in the Communications Regulatory Authority Act, No. 19 of 2012, the Botswana Communications Regulatory Authority (BOCRA or the Authority) seeks to create a conducive environment for ICT development in Botswana. It is in fulfilment of this mandate that the Authority finds it critical to continuously review the ICT licensing framework and other related instruments. The ushering of a new ICT Licensing Framework in 2015 has to be managed in order that there is little or no disruption of operations and services of existing licensees. Hence the creation of a Migration (or Conversion ) Plan that shall guide the existing licensees as they obtain new licenses under the new ICT Licensing Framework. **This Migration Plan does not include (Broadcasting) Content category.**

# 1 INTRODUCTION

The purpose of the Migration (or Conversion) Plan is to guide existing licensees as they obtain new licenses under the new ICT Licensing Framework. This will ensure smooth migration with little or no disruption to operations of the licensees.

The new ICT Licensing Framework (the Framework) is contained in the document titled ICT Licensing Framework in Botswana, April 2015 and this document must be read together with it for referencing purposes. The document is available in the Authority’s website at [www.bocra.org.bw](http://www.bocra.org.bw). The license categories, license types and duration of each license type stipulated in the Framework are summarised below:

Table 1: License Categories, License Types and Duration of Licenses Types

LICENSE CATEGORY	TYPE OF LICENSES
<p><b>Network Facilities Provider License</b></p> <p>(International, National and Regional)</p>	<p><b><i>International Network Facilities License (15 years duration)</i></b></p> <p>Examples:</p> <p>International gateway (Satellite/Terrestrial)</p> <p>Cable transit</p> <p>Satellite Hub Systems</p> <p>Uplink Satellite Broadcasting Stations</p>
	<p><b><i>National Network Facilities License (15 years duration)</i></b></p> <p>Examples:</p> <p>Public Fixed Systems</p> <p>Broadcasting Signal Distributor</p> <p>Public Land Mobile Cellular Systems</p> <p>MVNO Facilities</p> <p>Internet Exchange Points</p> <p>Tower Management</p>

	<p><b><i>Regional Network Facilities License (15 years duration)</i></b></p> <p>Examples:</p> <p>Broadcasting Signal Distributor</p> <p>Public Internet Network</p> <p>Public Radio Trunking Systems</p> <p>Local Loop Networks, Fixed Wireless Access Systems</p> <p>Private Networks.</p>
<p><b>Services and Applications Provider License</b></p>	<p><b><i>Application &amp; Service License (5 years duration)</i></b></p> <p>Examples:</p> <p>Fixed National Services (voice/data/text)</p> <p>Cellular Services and Applications (voice/data/text)</p> <p>International Services (voice/data/text)</p> <p>Satellite services incl. Global Mobile Personal Communication Services.</p> <p>Mobile Virtual Network services</p> <p><b><i>Value Added Services (5 years duration)</i></b></p> <p>Examples:</p> <ul style="list-style-type: none"> <li>All Services and Applications carried over Regional Networks</li> <li>Internet Services over Regional Networks</li> <li>Services offered over Private Networks</li> <li>VOIP Services</li>   <li>Premium Rate Service</li> </ul>

	Credit Card Validation Services Other web based public commercial information
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The listing provided above is not exhaustive. Requests for licenses will be assessed by the Authority to determine the appropriate license types.

## **2 SCOPE OF MIGRATION PLAN**

The Migration Plan is an outline of principles and rules governing the conversion of existing licenses namely Public Telecommunications Operator (PTO) licenses, Private Telecommunications Network Licenses (PTNL) and Value Added Network Service (VANS) licenses which shall be converted to new license categories of Network Facilities License and Services and Applications Licenses which are further divided into license types of International Network Facilities license, National Network Facilities license, Regional Network Facilities license, Services and Applications license and Value Added Services license.

## **3 LICENSING PROCEDURE**

The licensing procedure is prescribed in the **Guidelines for Submission of Application for Licence under the ICT Licensing Framework of 2015, September 2015**. The Licensing Guidelines are available in the Authority's website at [www.bocra.org.bw](http://www.bocra.org.bw).

## **4 PRINCIPLES AND RULES OF MIGRATION PLAN**

The following outlines the key principles and rules of conversion from existing licenses to new licenses:

- 4.1 Migration shall commence in September 2015 and be completed in February 2017. After this period, migration of existing licenses shall not be allowed and licensees who have not migrated shall not be allowed to operate.
- 4.2 Licensees shall apply for migration indicating licenses they desire to migrate to and the Authority shall assess the

application. There is no requirement for a business plan by existing operators when migrating to new licenses. The Authority will issue a new license once it has satisfied itself that the license type applied for is the correct type.

- 4.3 The implementation of the new licensing framework does not affect the existing spectrum license and numbering. The migrated licences will attract a new licence duration as if they are new licenses.

## 5 MAPPING OF OLD LICENSES TO NEW LICENSES

For avoidance of doubt, the following table summarises the mapping of the old licenses to the new licenses:

Table 2: Mapping of Old Licenses to New Licenses

<b>Provisions of Communications Regulatory Authority Act</b>	<b>Old License Category</b>	<b>Type of Licenses to be applied</b>	<b>New Category</b>
System License (section 40)	PTO License	International Network License, National Network License.	Network Facilities Provider
	VANS License	Regional Network Facilities License	Network Facilities Provider
	Private Network License	They shall file for notification only.	They shall file for notification only.
Service License (section 39)	PTO License	Services and Applications License	Service and Application License
	VANS License	Value Added Services License	Service and Application License
	Private Network License	Service offered on Private Network License	Service and Application License

Source: BOCRA

The above table illustrates the types of licenses that an existing PTO who under the old framework carried a single license for multiple networks and multiple services has to obtain in order to continue operating. For instance, an existing PTO would now have to apply for a Network Facilities license and Service and Applications License. A VANS licensee may apply for both Network Facilities or Service and Application licenses.

## **6 EFFECTIVE DATE**

The effective date of Migration Plan is September 2015.