



**TYPE APPROVAL REPAIR SERVICES
PROVIDERS GUIDELINES 2021**

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| COMMUNICATIONS DEVICES REPAIR SERVICE PROVIDERS GUIDELINES | Version | 01 |
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1. DEFINITIONS/ INTERPRETATION

1.1. In these Guidelines, unless the context otherwise requires, the following expression or word will bear the meaning assigned to them below:

“ACT” or “CRA Act of 2012”

means the Communications Regulatory Act of 2012;

“Applicant”

means Type Approval Applicants or requestors for registering the Electronic Communication equipment;

“Authority”

means Botswana Communications Regulatory Authority established under the CRA Act;

“Consumer”

means a person who purchases electronic communication equipment and services for personal use;

“Communications Device”

means any type of hardware capable of transmitting data, instructions, and information between a sending device and a receiving device;

“Electronic Waste”

Are the discarded electrical or electronic device;

“Equipment”

means devices used for a particular purpose

“Live Database”

means a structured set of type approval data held in a computer, especially one that is accessible in various ways that works in real time;

“Repair Service Provider”

means any entity responsible for providing maintenance and repair services to Telecommunications Equipment;

“Service Provider”

means a communications services provider that owns or controls all the elements necessary to sell and deliver communication services to an end user;

“Standard”

means a document approved by a recognized body, that provides, for common and repeated use, rules, guidelines or characteristics for products or related processes and production methods, with which compliance is not mandatory;

“Technician”

means a person employed to look after technical equipment or do practical work in a laboratory.

“Type Approval Applicant Requestor”

Means a third party/ retailer/ service provider/ distributor/ dealer/ manufacturer applying for Type Approval;

“Type Approval Certificate”

means a certificate of conformity granted to an equipment/product that meets a minimum set of regulatory requirements, technical standards, and safety requirements;

“Type Approval Management System”

Is the electronic platform used by the Authority to administer Type Approval;

“Warranty”

means a written guarantee, issued to the purchaser of an article by its manufacturer, promising to repair or replace it, if necessary, within a specified period of time;

“Repair Service Centre”

means a room, workshop or building in which electronic devices are manufactured or repaired/(Maintenance).

2. ABBREVIATION OF TERMS

2.1. In these Guidelines, unless the context otherwise requires, the following abbreviations will be used:

BOCRA Botswana Communication Regulatory Authority

CRA Act Communication Regulatory Authority Act of 2012-

TA Type Approval

TARSP Type Approval Repair Services Providers

1 INTRODUCTION

1. In pursuit of its mandate for the consumer protection and implementation of Type Approval requirements, Botswana Communications Regulatory Authority, (herein with, the Authority) is undertaking measures which amongst others includes the development of the regulatory framework.
2. This framework sets out the accreditation process to establish the Repair Service Centers to ensure that consumers are accorded an after sales support on the Electronic Communication Equipment (ECE) efficiently.
3. The Communications Regulatory Act of 2012, (Herein with, the Act) in Section 50, (1) (d) stipulates that “A person who undertakes the maintenance or repair of telecommunications or radio equipment shall ensure that the system or equipment he or she operates, provides, supplies, maintains or repairs is safe in order to ensure the protection of consumers and users of such service or equipment against injury”,
4. Accordingly, the Type Approval Guidelines of 2016, stipulates that an acceptable Repair Service center must be established for each type of equipment that is registered through the Type Approval Management System.
5. The Authority therefore hereby issues the **Type Approval Repair Services Providers Guidelines** to regulate the repair service provisioning in this context the “Electronic Communication Equipment” used in or connected to a public telecommunication system network within Botswana.

2 OBJECTIVES

2.1 The objectives of the Guidelines are to:

- 2.1.1 Protect the consumers against the adverse effects of poor repair and maintenance services which could be detrimental to the health and safety;
- 2.1.2 Accredite the Repair Service Provider;
- 2.1.3 To ensure that Type Approved devices are repaired in accredited Repair Service Provider Centers as approved by the Authority; and
- 2.1.4 To ensure that consumers get full after sales support.

3 THE ACREDITATION PROCESS

3.1 The Authority will issue certification to accredited Repair Services Providers in accordance with conditions as set by the Authority **(reference is made to Schedule 2)**

3.2 The Repair Service Providers must satisfy the following competency requirements:

- 3.2.1 Shall within their human resources, have a person hired as a “Technician” with at least a Certificate or equivalent qualification in Electrical, Electronics, Computer Engineering, or any other related field;
- 3.2.2 In addition to the requirements in above, non-nationals shall also have a valid relevant work permit.
- 3.2.3 Operate a Repair Service Centre as specified by the Authority **(reference is made to Schedule 1)**.

4 RESPONSIBILITIES AND OBLIGATIONS

4.1 This section outlines the obligations of all parties involved.

4.2 The Authority

The Authority shall:

- 4.2.1 Accredit successful Repair Service Providers;
- 4.2.2 Ensure that the approved accredited Repair Service Providers are captured on the Type Approval Management System;
- 4.2.3 Publish a live Database that shows the list of approved accredited Repair Service Providers to inform the public;
- 4.2.4 Publish requirements for technical competency for individuals working as Repair Service Providers Technicians (**Reference is made to Schedule1**);
- 4.2.5 Publish requirements for competency requirements for operating Communications Devices Repair Service Providers' Centres (**Reference is made to Schedule1**);
- 4.2.6 Enforce the Type Approval Repair Service Providers Guidelines.

4.3 Type Approval Applicant Requestors

The Type Approval Applicant Requestors shall ensure that:

- 4.3.1** The type approved Electronic Communication Equipment will be maintained and repaired by accredited Repair Service Providers as determined by the Authority;
- 4.3.2** Consumers are provided with after sales support for type approved electronic communication equipment;
- 4.3.3** A formal agreement for local Repair Service Provider is provided;
- 4.3.4** A formal agreement for international partners is provided;
- 4.3.5** Shall maintain a register of their repair service providers that is up to date and is available upon written request by the Authority; and
- 4.3.6** Ensure to dispose-off electronic waste in accordance with the Waste Management procedures.

4.4 The Individual users

The individual users are encouraged to ensure that:

- 4.4.1** Both the imported and locally acquired communications equipment for personal use are repaired at Repair Service Providers accredited by the Authority.

4.5 Repair Services Providers

The Repair Service Providers shall:

- 4.5.1 Establish an accredited repair service centres as prescribed by the Authority (**Reference is made to Schedule 1**);
- 4.5.2 Within their human resources, have a person hired as a “Technician” with at least a Certificate or equivalent qualification in Electrical, Electronics, Computer Engineering, or any other related field;
- 4.5.3 Adhere to the accreditation conditions as set by the Authority (**Reference is made to Schedule 2**),
- 4.5.4 Maintain a customer register for:
 - 4.5.4.1 The entities that hold the Type Approval Certificate who were assisted with repair services that is up to date;
 - 4.5.4.2 Equipment that was repaired showing dated repaired and received by the owner.
- 4.5.5 Address consumer complaints accordingly;
- 4.5.6 Request and register proof of ownership of the devices by the customer/ entity requesting for Repair Services;
- 4.5.7 Ensure to dispose-off electronic waste in accordance with the Waste Management procedures.

5 GENERAL PRINCIPLES

The general principles for these Guidelines are i.e., Enforcement, Compliance and Investigation, Inspections, Publication, Penalties, Reviews/Amendments, and implementations.

5.1 ENFORCEMENT

The Authority shall:

- 5.1.1** Take appropriate measures to ensure enforcement of the requirements of the Type Approval Repair Services Providers Guidelines.

5.2 COMPLIANCE AND INVESTIGATION

The Authority shall:

- 5.2.1** Continuously monitor the communications market to ensure that the Guidelines are followed by the relevant stakeholders.
- 5.2.2** Carry out audit investigations on Repair Service Providers.

5.3 INSPECTION

The Authority or any person authorized by the Authority shall:

- 5.3.1 Be allowed entry into the premises of the Communications Devices Repair Service Providers' centres for inspection purposes of ascertaining compliance with these Guidelines.

5.4 PUBLICATION

The Authority shall publish:

- 5.4.1 The **Type Approval Repair Service Providers Guidelines** for public consumption in the BOCRA Website (<https://www.bocra.org.bw>).
- 5.4.2 The list of the accredited Type Approval Repair Service Providers in media outlets or the BOCRA Website (<https://www.bocra.org.bw>).

5.5 PENALTIES

The Penalties shall be administered according to the Act of 2012:

- 7.5.1 Section 50 (2), states that “Any person who contravenes subsection (1) commits an offence and is liable to a fine of not less than P10 000 but not more than P2 000 000, or to imprisonment for a term of not less than one year but not more than 10 years, or to both.”

5.6 REVIEW AND AMENDMENTS

- 5.6.1 The Authority may review the **Type Approval Repair Service Providers Guidelines** from time to time in collaboration with stakeholders.

5.6.2 Amendments will be made in collaboration with stakeholders with consideration of regional and international trends as and when there is need to accommodate technological developments in the communications industry.

6 IMPLEMENTATION

6.1 These Guidelines shall be implemented and come into effect on the 1st April 2022.

SCHEDULE 1

TABLE 1: REPAIR SERVICE CENTRE REQUIREMENTS

| ASPECT | REQUIREMENTS | ASSESSMENT METHODS | CHECKLIST (STATUS) |
|-----------------------|--|---|-----------------------|
| Licensing | Appropriate Valid Trading License | Trading Certificate | |
| | Pass a Safety Evaluation by the Labour Office | Safety Evaluation Report from the Labour Office | |
| Tax compliance | Tax registration | Physical Inspection | |
| | Valid Tax returns | | |
| Personnel | At least One (1) Qualified "Technician" | Technician CV | |
| Sign Post | Sign post at the premises shall display the registered name of the firm; Contacts; Workshop License serial number. | Physical Inspection | |
| Services | A list of services and price conspicuously displayed. | Physical Inspection | |
| Environment | The workshop shall be well lit. | Physical Inspection | |
| | The workshop shall be well ventilated. | Physical Inspection | |
| | The workshop shall be clean and tidy. | Physical Inspection | |
| Security | Adequate Security | Physical Inspection | |

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| Accessibility | The workshop should be easy to locate and accessible to both clients and inspectors. | Physical Inspection | |
| Safety Equipment | Safety Equipment Should have Personal Protective working gear that includes; a) Overcoats/Overalls/Safety shoes b) Helmets c) Safety Gloves d) Safety goggles e) Nose masks | Physical Inspection | |
| | Fire extinguisher | Physical Inspection | |
| | First aid box; as a minimum this should have plaster, bandage gauze surgical spirit, antiseptic for dressing cuts/wound, hydrogen peroxide solution, potassium iodide, surgical blades. | Physical Inspection | |

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| Tools (Each Technician shall have a toolbox separate from the one provided for the Workshop. Each toolbox shall consist of the listed equipment as a minimum) | Mobile Drier, Pressing Pad, Anti-Static Maps, Battery Tester, Finger-Print Calibrator, Pliers Nozzle pliers, Set of Allen keys Circlip remover(tongs), Multi-meter, Soldering Workstation, and cutter | Physical Inspection | |
| Customer Service | Warranty | Physical Inspection | |
| | Customer Complaints Procedures | | |
| | An Up-to-date List of Assisted Customers | | |
| | E-Waste Management Procedures | | |

SCHEDULE 2

CONDITIONS FOR ACCREDITATION OF REPAIR SERVICE PROVIDERS

- I. This Repair Service Provider is granted for a term of five (5) years, beginning on the date of issue (“Effective date”). The Accredited shall place the certificate in conspicuous place which shall be prominently always displayed in the Licensed Premises.
- II. The Accredited shall carry on the business of repairing and maintenance only at the Licensed Premises. The Accredited shall:
 - a. Keep and maintain a complete and accurate register(s) of all transactions, which shall include the following information:
 - i. Date of transaction and particulars of equipment bought and sold; such as equipment type, make model and serial numbers;
 - ii. The supplier’s/customer’s name, address, telephone numbers and email address;
 - b. Produce the register(s) and exhibit the stock of the Service Operators to the Authority or an Officer authorized by it, upon request; and
 - c. File a copy of the register(s) with the Authority at the end of every quarter of the year.

- III. The Accredited shall promptly notify the Authority in writing of any change in ownership, business name, contact details, number of outlets, location etc. of the business.
- IV. The Accreditation Certificate shall not be transferrable.
- V. The Authority may at any time after the Effective Date of this Accreditation Certificate revoke it or vary its terms, provision, or limitations thereof by a notice in writing served on the Accredited or by general notice published publicly across media platforms.
- VI. The Accredited shall renew the Certificate, if not shall return this Certificate to the Authority when it is suspended, revoked, or has expired.

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