

GOVERNMENT NOTICE NO.....published on.....

THE TANZANIA TELECOMMUNICATIONS CORPORATION ACT,

(No.12 of 2017)

**REGULATIONS**

*(Made under section 24)*

THE TANZANIA TELECOMMUNICATIONS CORPORATION (OPERATIONS AND  
MANAGEMENT OF THE STRATEGIC TELECOMMUNICATION INFRASTRUCTURES)  
REGULATIONS, 2018

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Citation

1. These Regulations may be cited as the Tanzania Telecommunications (Operations and Management of the Strategic Telecommunication Infrastructures) Regulations, 2018.

Interpretation

2. In these Regulations, unless the context otherwise requires-

- “Act” means the Tanzania Telecommunications Corporation Act No. 12 of 2017
- “Minister” means the Minister responsible for the telecommunications matters;
- “Service” means responsibilities, duties and obligations that shall be delivered by Corporation in the management of the Strategic Telecommunication Infrastructures;
- “Service outage” means an incident of outage or interruption in service which arises due to - accidental, equipment malfunction, vandalism or natural disaster.
- “Strategic telecommunications infrastructure” means Transport Core infrastructure, data centre and such other telecommunications infrastructure.

**PART II  
MANAGEMENT AND OPERATIONS**

Term of management **3.** The Corporation shall manage and operate the Strategic Telecommunication Infrastructures in manner prescribed under these regulations.

Description of service **4.**-(1) The Corporation shall manage and operate on behalf of the Government the strategic infrastructures activities in compliance to account separation regulations. The activities include the following:  
 (a) Operations and maintenance of the Strategic Telecommunication Infrastructures to ensure that services are provided to customers in compliance to license conditions.  
 (b) Operations of commercial activities which include marketing and selling of Strategic Telecommunication Infrastructures services; and  
 (c) Issuance of invoice and collection of revenue from customers for offered services.  
 (2) Activities under sub regulation (1)(a) includes-  
 (a) Routine operation and preventive maintenance of the Strategic Telecommunication Infrastructures networks and systems.  
 (b) Corrective and emergency maintenance activities whenever need arise.

Designation and protection of Strategic Telecommunication Infrastructures **5.** (1) The Minister may by Order published in the Gazette designate telecommunication infrastructures as Strategic Telecommunication Infrastructures.

(2) The order under sub regulation 5 (1) may prescribe guidelines or procedures in respect of-

- (a) Registration, protection or preservation of Strategic telecommunication Infrastructure
- (b) Management of Strategic telecommunication Infrastructure;
- (c) access to transfer and control of data in any Strategic telecommunication Infrastructure;
- (d) Any other matter that is relevant for adequate protection, management and control of data and other resources in a Strategic telecommunication Infrastructure.

Management and operation

**6.-(1)** The Corporation shall manage and operate the Strategic Telecommunication Infrastructures in an open, transparent and non-discriminatory manner in compliance to license conditions.

(2) The Corporation shall account to the Minister:

- (a) the revenues received for services provided from the Strategic Telecommunication Infrastructures by users; and
- (b) Revenue for services from the Strategic Telecommunication Infrastructures used by Corporation.

(3) The Corporation shall submit and report to the Minister a quarterly report on performance or at such other intervals as the Minister may determine.

(4) The Corporation shall register all assets of strategic telecommunication infrastructures to the asset register and update asset register in compliance to account separation regulations.

(5) The Corporations shall have a duty of notifying the Treasury Registrar on all registered asset of strategic telecommunication infrastructures annually.

Scope of service, commercial and financial obligations

**7.-(1)** The Corporation shall, in operating the Strategic Telecommunication Infrastructures services, ensure that-

- (a) It provides capacity services and any other related services.
- (b) Services are provided to users in Tanzania and outside of Tanzania.
- (c) Pursuant to sub regulation 7(1)(b), services are available on an open access and non-discriminatory terms in compliance to license conditions.

(2) In determining charges for Strategic Telecommunication Infrastructures services, Corporation shall ensure that charges are in consistent with license condition and national interest for the Strategic Telecommunication Infrastructures.

Payments and terms of payment

**8.-(1)**The Corporate shall operate a separate bank account for operations of each Strategic telecommunication infrastructure.

(2) Not withstanding with 8(1), the Minister responsible for finance shall issue directives for management of this bank account and funds generated;

Operating and budget plan

**9.** The Corporation shall prepare and submit to the Treasury Registrar a proposed budget for strategic infrastructure for every financial year on account separation bases.

Strategic Telecommunication Infrastructures quality of services.

**10.-(1)** The Corporation shall manage the Strategic Telecommunication Infrastructures by ensuring that the quality of service meet license conditions.

(2) The Corporation shall ensure that the Strategic Telecommunication Infrastructures facilities are well maintained and that there is regular routine check and preventive maintenance on all equipment.

Management,  
performance  
evaluation  
assessment

and **11-**(1) The Corporation shall, at quarterly basis, conduct internal assessment of its performance against the set out targets.

(2) At the end of each quarter, Corporation shall prepare and furnish a report to the Minister on its technical, commercial and financial performance against the set out targets.

### PART III GENERAL PROVISIONS

Compliance to any  
Other written law

**12.** Without prejudice to these Regulations the Corporation shall adhere to other written laws.

Offences, penalty  
and Sanctions

**13.**(1) Notwithstanding any other provisions of the Act, the Offences category shall include-

- a) due to human activities;
- b) vandalism or sabotage of infrastructures;
- c) destruction due to construction activities;

(2) Without prejudice to any other penalty or sanction prescribed by the Act, A person who contravenes the provisions of these Regulations for which no specific penalty has been prescribed commits an offence and is liable on conviction to a fine of not less than one hundred million shillings or three times the loss occasioned or to imprisonment for a term of not less than five years or to both.

Schedule 1 made under regulation 8(2)

sn	Items	Criteria
1	Taxes	Actual

2	Funds allocated for Loan payment or initial investment cost.	40% of annual collected revenue excluding tax
3	Management Fee	Upon performance, minimum 5% maximum 10% of annual collected revenue excluding tax
4	Operations and maintenance	Actual based on budget
5	Development and upgrade	Balance from 1, 3, and 4

Dodoma  
.....2018

**MAKAME M. MBARAWA**  
*Minister for Works, Transport and  
communication*