

money lending organizations are also coming up with applications and platforms in which the customers can access funds easily.

What is Consumer Protection?

Consumer protection is based on the concept that the consumer must be protected against undesirable and unfair trading practices. The best ways of protecting the consumer is to empower them via the provision of consumer education. Essentially, consumer education relates to the development of those skills, attitudes and knowledge that enable the consumer to make informed and responsible choices.

In what way does the Authority protect the consumer?

The Authority can offer protection to the consumer in a number of ways, as is illustrated below:

- By ensuring that all service providers adhere to the conditions stipulated in their licenses. Licenses have certain conditions, which are designed to stipulate what the provider can and cannot do when supplying services to the consumer. The conditions address such aspects as:
 - ▶ The minimum quality of service that may be offered to the consumer
 - ▶ The pricing of such services
 - ▶ The procedures that must be followed in the supply of services
 - ▶ The technical standards which must be met and maintained
 - ▶ The benchmarks that have been set to maintain such standards
 - ▶ The method of redress available to the consumer in the event that the service offered falls short of that stipulated by the Authority
 - ▶ The tenets of good governance in relation to 'fair' competition, by which all members of the industry are expected to abide

What action can the Authority take against service providers?

The Authority, under the Kenya Information Communications Act, 1998 has statutory powers to levy fines or exact penalties from any service provider that does not abide by the conditions outlined by the Authority or stipulated in the Act and regulations.



How to file a complaint with the Authority?

Should a consumer find that, despite their best efforts, they cannot obtain necessary assistance with regards to the resolution of their complaints from their service provider or vendor of communications equipment, they are invited to contact the Authority. Initial communication should be made in writing to the Director-General at the address given below. It would also be helpful to outline the nature of the problem and the action taken so far - by both the consumer and the company in question. Correspondents should also attach all relevant documentation relating to the complaint.

Need to Know More?

For further information on the topic or any other aspect of the mobile service operations offered in the market, please contact us on:



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Disclaimer: While every effort has been made to ensure that the information included in this document is accurate, it is intended ONLY as a guideline towards providing information that would enable consumers make better decisions in the use and purchase of mobile/internet services and should not be regarded as (or used in lieu of) legal advice.

The Communications Authority of Kenya (CA) will not therefore accept any liability for the consequences of the actions taken or decisions made upon the information offered.

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The Role of CA in Consumer Education and Protection



This brochure has been developed as part of the Consumer Education Programme of the Communications Authority of Kenya. It offers information on the role of the Communications Authority of Kenya in consumer protection.



About the Communications Authority of Kenya (CA)

The Communications Authority of Kenya is the ICT regulator, established by an Act of parliament in order to regulate and ensure that the provision of the telecommunications, radio communication, and postal and courier services in Kenya are conducted in a manner that confers optimum benefit to the citizens of Kenya, to the economy and to the environment as a whole.

The Mandate of the Authority

The Authority is charged with the responsibility of; the issuance of licenses; the management of radio frequencies; the type-approval of communication equipment; ensuring universal access to communication services; ensuring the interconnection of networks and services and regulation of tariffs, as well as the regulation of all postal courier services.

The Authority is also charged with the responsibility of protecting the interests of the consumers in relation to the provision of such services, and ensuring that effective competition between providers is maintained and promoted. The Authority works to encourage private investment in the industry, and to promote the facilitation of international transmission of services.

Consumer Education

Consumer education is aimed at changing consumer behavioral patterns, initiating and enhancing consumer responsibility and offering general information on the rights of the consumers.

What the consumer education Programme will deliver

The program targets all mobile and internet users. Its objectives are to:

- Enable consumers to obtain optimum value-for-money
- Enable consumers to comprehend, interpret and analyze the

information offered to them in the market place thus allowing them to make informed decisions

- Promote responsible consumer practice in terms of; acquisition of information; the need for responsible market research; the requirement for careful consideration before purchase; the full comprehension of terms, conditions and guarantees; and the need for administrative responsibility (retention of documentation, receipts, warranties)
- Educate the consumer as to their basic rights and responsibilities
- Impart the skills required to negotiate, complain effectively and resolve problems satisfactorily
- Offer advice on where support guidance and complaint resolution may be sought
- Enable consumers to appreciate the wider social and economic implications of their decisions
- Promote assertiveness and enable consumers to protect themselves against exploitation

The Role of the Authority

The Authority undertakes a broad spectrum of roles, some of which are outlined below:

Ensuring the delivery of optimum service

In the interest of ensuring that the quality of service offered to consumers is regulatory monitored, and is at optimum levels, the Authority has invested in a state-of-the-art Quality of Service (QOS) Measurement and Monitoring System for the mobile networks.

Managing the frequency sphere

In the interest of ensuring optimum performance of the radio frequency spectrum, the Authority monitors radio frequencies to ensure that consumers do not suffer from interference, or from disruption of services. Furthermore, and in the interest of increasing the product range and services capability, the Authority has already granted its first Third General cellular mobile services license.

Fifth generation (5G) technology

Broad band is seen as catalyst for socio-economic development, the Authority seeks to put in place a new strategy provide direction for improving ICT connectivity and access in the country, including the deployment of 5G and other emerging technologies so as to optimize of the full potential of broadband.5G is the newest form of technology globally. It is a new global wireless standard after 1G, 2G, 3G, and 4G networks. It enables a new kind of network that is designed to connect virtually everyone and everything together including machines, objects, and devices .i.e. the internet of things. 5G wireless technology is meant to deliver higher peak data speeds, more reliability, massive network capacity, increased availability, and a more uniform user experience to more users. Higher performance and improved efficiency empower new user experiences and connects new industries.

Type-approval of communications equipment

The Authority is responsible for type-approving all types of telecommunications terminal equipment (intended for connection to public telecommunication networks). The Authority is also responsible for the type-approval of all types of radio

communication equipment intended for use in Kenya. These approvals relate to considerations such as:

- Suitability of equipment for connection to the existing public communication networks, so as to safeguard the integrity of these networks
- The maintenance of acceptable quality of service as well as the 'end-to-end' network performance of all radio and telecommunications networks
- The protection of the general public against any harmful emissions which may, unless properly regulated, be emitted by faulty or obsolete communications equipment

The protection of the environment against the possible dangers that could arise from the installation of sub- standard equipment to the national network.

The regulation of tariffs

By issuing the 'Determination of interconnection' that specified interconnection rates between telecommunications Operators' the Authority has already been instrumental in lowering the rate of telecommunications call charges.



The encouragement of competition

The Authority lays great emphasis on

A code of practice for the industry

The Authority is currently undertaking the compilation of a definitive 'National Code of Practice' to address health and safety concerns pertaining to the telecommunication infrastructure. To this end, the Authority is working with industry stakeholders and with a broad spectrum of commercial governmental, non-governmental, international and national regulatory bodies to ensure that the final document fulfils the requirements of all Kenyan consumers.

the continued liberalization of the Kenyan telecommunication industry, a goal set by the government's sector policy. To this end, the Authority has licensed more network providers, internet providers thus allowing for even greater choice of service providers for consumers. It is further envisaged that the encouragement of competition will continue to force down tariffs to the benefit of consumers and the economy as a whole.

The provision of consumer education

In the interest of empowering consumers, the Authority has embarked on a nationwide Consumer Education Outreach Programme, with the aim of offering consumers a broad range of concise and current information on many aspects of the communications industry.

Innovation and Dynamism

The Authority has facilitated a conducive environment for business which has led to innovations like the mobile money transfer platforms which was the first innovation in the world. Banks have also leveraged on this innovation to serve customers better. SACCOs and