

REPUBLIC OF KENYA



PUBLIC COMMUNICATIONS ACCESS CENTRE

CLASS LICENCE

The Communications Authority of Kenya (hereinafter referred to as the “**Authority**”), in exercise of its mandate under the Kenya Information and Communications Act, CAP 411A (hereinafter referred to as the “**Act**”), hereby authorises any person or entity that has registered with the Authority to establish and operate a Public Communications Access Centre (“**Licensed Services**”), within the Republic of Kenya.

The Licensed Services are the provision of communication services to the public by setting up cyber cafés, telephone bureaus, community payphones or any other services as may be determined by the Authority from time to time.

The following Terms and Conditions shall apply:

1. General Requirements

- 1.1 Be duly registered as a business entity in Kenya.
- 1.2 Obtain internet connectivity from licensed Internet Service Providers that hold the Application Service Provider (ASP) licence.
- 1.3 Utilise electronic communications equipment that have been duly type-approved/accepted or exempted from type approval/acceptance by the Authority.
- 1.4 Comply with the provisions of the Act including, but not limited to, license modifications, enforcements, Regulatory directive/s and Sanctions.

2. Consumer Protection

- 2.1 Display applicable fees for Licensed Services offered and issue receipts to each user, where charges are applicable.
- 2.2 Deploy content filtering mechanisms to protect users from harmful or illegal content and comply with other Online Safety Guidelines, as may be issued by the Authority from time to time.
- 2.3 Ensure that its services and products are accessible to persons with disabilities as prescribed in guidelines or regulations
- 2.4 Put in place mechanisms for handling customer complaints and feedback.
- 2.5 Communicate to consumers on service interruptions and outages.

3. Security and Record-Keeping

- 3.1 Put in place a mechanism for registering of customers of the Licensed Services.
- 3.2 Maintain basic user logs of service usage essentially a customer session log (excluding personal browsing history), which will cover the terminal ID, session start/end time.
- 3.3 The Licensee shall retain all records relevant to compliance with this Licence for a minimum of three (3) years from the date of creation.

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3.4 The Licensee shall submit reports to the Authority upon request.

4. Quality of Service

4.1 Provide services that are reliable, accessible, and consistent with such standards as may be prescribed by the Authority from time to time.

4.2 Ensure that Service interruptions and outages are promptly resolved.

5. Compliance Obligations

The Authority is empowered to monitor the Licensee's compliance with this Licence at any time. The Licensee shall grant the Authority's authorised officers' reasonable access to premises, systems, records, and equipment for the purpose of inspection, audit, or investigation.

6. Prohibited Activities

Not resell bandwidth, wholesale internet capacity or build communications infrastructure without first obtaining the appropriate licence from the Authority.

7. Inspection and Enforcement

The Authority reserves the right to inspect premises, systems, facilities, records and equipment of the Licensee for purposes of ensuring compliance with this Licence.

The Authority may suspend the Licensed services where the Licensee has breached a Condition in this Licence and the Licensee has been notified of the breach of the licence condition and has been given notice to comply within a specified period and failed to comply.

8. Dispute Resolution

Disputes arising from the provision of the Licensed Services, shall be resolved in accordance with the laws of Kenya and dispute resolution mechanisms of the Authority.

Note: The terms and conditions of this Licence shall come into effect upon its publication in the Kenya Gazette.

DIRECTOR GENERAL/CEO