

LEGAL NOTICE NO.

THE KENYA INFORMATION AND COMMUNICATIONS ACT
(Cap. 411A)

**THE KENYA INFORMATION AND COMMUNICATIONS (GENERAL LICENSING)
REGULATIONS, 2026**

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THE KENYA INFORMATION AND COMMUNICATIONS ACT

(Cap. 411A)

IN EXERCISE of the powers conferred by sections 27, 38, 46K, 66 and 83R of the Kenya Information and Communications Act, the Cabinet Secretary for Information, Communications and the Digital Economy, in consultation with the Communications Authority of Kenya, makes the following Regulations—

THE KENYA INFORMATION AND COMMUNICATIONS (GENERAL LICENSING) REGULATIONS, 2026

PART I—PRELIMINARY

Citation. 1. These Regulations may be cited as the Kenya Information and Communications (General Licensing) Regulations, 2026.

Interpretation. 2. In these Regulations, unless the context otherwise requires—

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“Act” means the Kenya Information and Communications Act;

“amateur radio service” means a radiocommunication service carried on for the purpose of self-training, intercommunication and technical investigation by a person duly authorised under the Act who is interested in radio technique solely with a personal aim and without pecuniary interest;

“annual gross turnover” means the gross revenue earned by a licensee from the provision of the licensed service during a financial year, as disclosed in the audited financial statements of the licensee for that financial year;

“authorisation” means a written permission granted by the Authority under these Regulations, other than a licence, permitting a person to undertake a specified regulated activity;

“Authority” means the Communications Authority of Kenya established under section 3 of the Act;

“beneficial owner” has the meaning assigned to it under the Companies Act;

“broadcasting service” means a service which delivers television or sound broadcasting programmes to the public or to a section of the public;

“commercial broadcasting service” means a broadcasting service operated for profit or as part of a profit-making enterprise;

“community broadcasting service” means a broadcasting service which serves a particular community and is owned and controlled by a not-for-profit entity;

“consolidated market structure” means the market structure set out in the First Schedule;

“contact address” means the physical address, postal address, telephone number and electronic mail address of an applicant or a licensee;

“control” in relation to a licensee, means the ability, whether directly or indirectly and whether exercised alone or together with another person, to determine the composition of the majority of the board of directors of the licensee, to control the exercise of the majority of the voting rights in the licensee, or otherwise to direct the management or policy of the licensee;

“courier services” means any service for the collection, dispatch, conveyance, handling and delivery of postal articles by post for which a stamp is not required;

“Courier Agent” means a person contracted or engaged by a courier licensee to provide Courier delivery services

“Courier Hailing Service” means a service to facilitate linking of consumers of courier services to its Courier Agents or Requesting Licensees.

“Courier Hailing Service Provider” means a Licensee authorized to operate a platform for linking Courier Agents or other licensed courier operators to consumers.

“frequency assignment” means an authorisation granted by the Authority for the use of a specified radio frequency or radio frequency channel under specified conditions;

“licence” means a licence issued by the Authority under the Act and these Regulations;

“licensee” means the holder of a licence or an authorisation issued under these Regulations;

“Platform” means an interface to connect a Licensee to consumers for the provision of on-demand delivery services.

“postal service” means a service for the collection, sorting, conveyance and delivery of postal articles;

“radio station” means one or more transmitters or receivers, or a combination of transmitters and receivers, including the accessory equipment, necessary at one location for carrying on a radiocommunication service;

“spectrum” means the radio frequency spectrum;

“subscription broadcasting service” means a broadcasting service which provides programmes to subscribers on a subscription basis;

“subscription management service” means a service for the management of subscribers, subscriber authorisation and subscriber billing on behalf of a subscription broadcasting service; and

“Tribunal” means the Communications and Multimedia Appeals Tribunal established under section 102 of the Act.

Application.

3. These Regulations apply to the licensing and authorisation of—

(a) telecommunications services and networks;

- (b) broadcasting services and broadcast signal distribution;
- (c) postal and courier services;
- (d) electronic certification services;
- (e) the use of radio frequency spectrum, including frequency assignments and radio station licences; and
- (f) any other service, network, system or equipment which requires a licence or an authorisation under the Act.

Objects of the Regulations.

4. The objects of these Regulations are to—

- (a) establish a consolidated market structure for the licensing of services and networks regulated under the Act;
- (b) prescribe the general requirements and procedure for the grant, modification, renewal, transfer, suspension, revocation and surrender of a licence; and
- (c) prescribe the fees and the duration applicable to each category of licence and authorisation.

PART II—LICENSING AND AUTHORISATION FRAMEWORK

Services requiring a licence.

5. (1) A person shall not provide, operate or offer any of the following services unless that person holds a valid licence or authorisation issued under these Regulations, or is exempted under the Act—

- (a) a postal or courier service;
- (b) a broadcasting service or a broadcast signal distribution service;
- (c) a telecommunications service or a telecommunications network;
- (d) an electronic certification service; or
- (e) a service or activity involving the use of radio frequency spectrum or the operation of a radio station.

(2) A licence or an authorisation issued under these Regulations authorises the licensee to undertake only the regulated activity specified in the licence or authorisation, within the geographic scope and for the duration specified in the licence or authorisation.

Consolidated market structure.
Cap. 2A.

6. (1) The consolidated market structure set out in the First Schedule organises the regulated market into sectors, subsectors and categories of licences and authorisations, and specifies the regulated activity to which each category relates.

(2) A licence or an authorisation shall be granted only in respect of a category set out in the First Schedule.

(3) The Authority shall keep the consolidated market structure under review, having regard to the evolution of technologies, services and markets in the communications sector.

(4) The Authority may by notice in the Gazette amend the First Schedule to introduce, combine, vary or remove a category of licence or authorisation, and may, in the same notice, specify the corresponding entries in the Second and Third Schedules applicable to a category so introduced or varied.

(5) A category introduced or varied under sub-regulation (4) shall be treated for all purposes as a category set out in the First Schedule.

(6) Where a service or network is licensed comprehensively under other Regulations made under the Act, that service or network shall be licensed in accordance with those Regulations, and these Regulations shall apply only to the extent that they are not inconsistent with those Regulations.

7. (1) The Authority may, in accordance with the Act and these Regulations, grant—

- (a) a network or facilities licence, authorising the establishment, ownership or operation of a communications network or facility;
- (b) a service licence, authorising the provision of a communications service over a communications network;
- (c) a broadcasting licence, authorising the provision of a broadcasting service, the distribution of broadcast signals or the reception and rebroadcast in Kenya of a broadcasting service originating outside Kenya;
- (d) a postal or courier licence, authorising the provision of a postal or courier service, the operation of a platform which matches persons requiring the conveyance of postal articles with courier agents or persons providing that conveyance, or the conveyance of postal articles by an independent courier;
- (e) an electronic certification licence, authorising the provision of electronic certification services;
- (f) an equipment or premises licence, authorising the distribution, vending, installation, maintenance or repair of communications equipment, or the operation of a public communications access centre;
- (g) a spectrum licence or a radio station licence, authorising the operation of a radio station or the use of radio frequency spectrum; or
- (h) a frequency assignment, authorising the use of a specified radio frequency or radio frequency channel.

(2) A licence, an authorisation, a frequency assignment and an approval granted under these Regulations are distinct, and the grant of one does not of itself confer any right, entitlement or authority in respect of another.

(3) Where the operation of a radio station or the use of radio frequency spectrum is required for the provision of a service licensed under these Regulations, the licensee shall obtain a separate spectrum licence, radio station licence or frequency assignment in accordance with these Regulations.

Licence fees.

8. (1) An applicant or a licensee shall pay the application fee, initial licence fee, annual operating fee, modification fee, transfer fee and spectrum fee applicable to the relevant category, as set out in the Second Schedule.

(2) A fee shall not be imposed in respect of a licence or an authorisation granted under these Regulations unless that fee is set out in the Second Schedule or in a notice under regulation 6(4).

(3) An application fee is not refundable.

(4) Where an annual operating fee is expressed as a percentage, the percentage shall be applied to the annual gross turnover of the licensee for the preceding financial year.

(5) A fee set out under the Second Schedule is distinct from a tax, levy or contribution imposed under any other written law.

Duration of a licence.

9. (1) A licence or an authorisation issued under these Regulations shall be valid for the period specified in the Third Schedule in respect of the relevant category, calculated from the date of issue, unless a shorter period is required under any other written law.

(2) Where the Third Schedule provides that the duration of a frequency assignment or a radio station licence is aligned with another licence, that frequency assignment or radio station licence shall expire on the date on which the licence with which it is aligned expires.

(3) A licence remains in force until the date of its expiry unless it is earlier suspended, revoked, surrendered or lapses in accordance with these Regulations.

(4) A licence may be renewed in accordance with regulation 25.

PART III—APPLICATION FOR AND GRANT OF A LICENCE OR AUTHORISATION

Application for a licence.

10. (1) An application for a licence or an authorisation shall be made to the Authority in the Form set out in the Fourth Schedule which corresponds to the category applied for, and shall be accompanied by the prescribed application fee.

(2) The applicable Forms are—

(a) in the case of a postal or courier licence, Form GL 2;

(b) in the case of a telecommunications network, service or equipment licence, Form GL 3;

(c) in the case of a broadcasting licence, Form GL 4;

(d) in the case of an electronic certification licence, Form GL 5;

(e) in the case of a spectrum licence, radio station licence or frequency assignment, Form GL 6;

(f) in the case of an application for the modification of a licence, Form GL 7;

- (g) in the case of an application for the renewal of a licence, Form GL 8;
- (h) in the case of an application for approval of a change in ownership or control, Form GL 9;
- (i) in the case of an application for approval of a transfer or assignment of a licence, Form GL 10; and
- (j) in the case of an application for approval of the surrender of a licence or the discontinuation of a licensed service, Form GL 11.

(3) Every application under sub-regulation (1) shall be accompanied by the completed general applicant information Form set out as Form GL 1 in the Fourth Schedule.

(4) An applicant who applies for more than one licence at the same time is not required to submit more than one Form GL 1 or pay more than one application fees in respect of those applications.

(5) An application for a spectrum licence, a radio station licence or a frequency assignment shall contain the technical particulars specified in Form GL 6.

(6) On the grant of a spectrum licence, a radio station licence or a frequency assignment, the Authority shall assign to the radio station the symbols denoting the class of the station and the nature of the service, in accordance with the designators set out in the Radio Regulations of the International Telecommunication Union, and the symbols so assigned shall be stated in the licence or the frequency assignment.

Electronic applications, payments and communications.

11. (1) An application, notice, return, report or other document required or permitted to be made, given or submitted to the Authority under these Regulations may be made, given or submitted in electronic form through an electronic licensing system established or designated by the Authority.

(2) A Form prescribed in the Fourth Schedule is duly completed if the particulars required by that Form are captured and submitted through the electronic licensing system.

(3) A fee payable under these Regulations may be paid through an electronic payment system designated by the Authority or any law relating to public finances.

(4) A requirement under these Regulations for a signature, a declaration or the certification of a document is satisfied by an electronic signature or an electronic authentication which complies with the Act.

(5) The Authority may issue a licence, an authorisation, an approval, an acknowledgement or a notice under these Regulations in electronic form, and a licence, authorisation, approval, acknowledgement or notice so issued has the same effect as one issued in physical form.

Supporting information.

12. (1) An application under regulation 10 shall be accompanied by—

- (a) proof of incorporation or registration of the applicant, or, in the case of a public entity, the written law or instrument establishing it;

- (b) evidence of the shareholding, directorship and beneficial ownership of the applicant;
- (c) a copy of the identification document of each director and each beneficial owner of the applicant;
- (d) a valid tax compliance certificate;
- (e) a business plan covering not less than the first three years of the proposed operations;
- (f) a technical description of the proposed service, network, system or installation; and
- (g) the documents specified in the applicable Form.

(2) The Authority may, in writing, require an applicant to provide such further information as is reasonably necessary and relevant for the determination of the application, and shall specify the information required and the period within which it is to be provided.

(3) The Authority shall not require an applicant to provide information which the applicant has already provided to the Authority and which remains current, unless the Authority has reason to believe that the information is no longer accurate.

Acknowledgement and completeness review.

13. (1) The Authority shall acknowledge receipt of an application in writing within seven days of receipt.

(2) The Authority shall, within fourteen days of receipt of an application, review the application for completeness and, where the application is incomplete, notify the applicant in writing specifying the deficiencies and the period within which they are to be remedied.

(3) An application becomes complete on the date on which the Authority receives all the information and documents required under these Regulations and the applicable Form.

Vetting of a licence application.

14. (1) The Authority may, where necessary for the determination of an application, request a relevant Government agency to verify the particulars contained in the application.

(2) A Government agency to which a request is made under sub-regulation (1) shall submit a vetting report to the Authority, setting out its findings and the reasons for those findings, within thirty days of receipt of the request.

(3) A Government agency may, before the expiry of the period specified in sub-regulation (2), request the Authority in writing for an extension of that period, and the Authority may grant an extension not exceeding thirty days.

(4) The Authority shall consider the findings of a vetting report in determining the application.

Evaluation of a licence application.

15. In evaluating an application, the Authority shall consider—

- (a) whether the applicant satisfies the requirements of the Act, these Regulations and any other applicable written law;

- (b) the technical, financial and operational capacity of the applicant to provide the service applied for;
- (c) the suitability of the ownership and control structure of the applicant;
- (d) the effect of the grant of the licence on consumers and on competition in the communications market;
- (e) in the case of an application involving the use of radio frequency spectrum, the availability of spectrum and the efficient use and management of spectrum; and
- (f) the public interest.

Determination of a licence application.

16. (1) The Authority shall determine an application and communicate its decision in writing to the applicant within ninety days from the date on which the application becomes complete.

(2) The Authority may—

- (a) grant the licence or authorisation applied for;
- (b) grant the licence or authorisation subject to conditions; or
- (c) reject the application.

(3) Where the Authority grants a licence subject to conditions or rejects an application, it shall communicate the reasons for its decision in writing to the applicant within fourteen days of the decision.

(4) Where the Authority grants a licence, the licence shall be issued upon payment of the initial licence fee and a prorated annual operating fee prescribed in the Second Schedule.

Withdrawal and resubmission of an application.

17. (1) An applicant may, at any time before the determination of an application, withdraw the application by notice in writing to the Authority.

(2) A fee paid in respect of a withdrawn application is not refundable.

(3) The rejection of an application does not bar the applicant from making a fresh application.

(4) An application made under sub-regulation (3) shall be treated as a new application.

Licence terms and conditions.

18. (1) A licence shall specify—

- (a) the name of the licensee;
- (b) the category of the licence as set out in the First Schedule;
- (c) the regulated activity authorised and the geographic scope of the licence;
- (d) the date of issue and the date of expiry of the licence; and
- (e) the conditions to which the licence is subject.

(2) A condition imposed under sub-regulation (1)(e) shall be consistent with the Act and these Regulations and shall not impose a substantive obligation which is required by the Act to be prescribed by Regulations.

PART IV—CHANGE IN OWNERSHIP OR CONTROL AND TRANSFER OF A LICENCE

Approval of a
change in
ownership or
control.

Cap. 485A.

19. (1) A licensee shall apply to the Authority in Form GL 9 for approval of a proposed change in the ownership or control of the licensee where the proposed change involves—

- (a) the acquisition by a person of shares resulting in that person holding fifteen per cent or more of the issued share capital of the licensee;
- (b) the acquisition by an existing shareholder of an additional five per cent or more of the issued share capital of the licensee; or
- (c) a transaction or arrangement which results, directly or indirectly, in a change in the control of the licensee.

(2) Sub-regulation (1)(a) and (b) do not apply to the acquisition of shares effected through a securities exchange licensed under the Capital Markets Act, except where the acquisition results, directly or indirectly, in a change in the control of the licensee.

(3) An application under sub-regulation (1) shall be made not less than sixty days before the intended date of implementation of the proposed change.

(4) A licensee shall not implement a proposed change to which sub-regulation (1) applies unless the Authority has granted approval.

(5) This regulation applies to a change in the ownership or control of a licensee, and does not apply to the transfer or assignment of a licence, which is governed by regulation 21.

Determination of
an application
under regulation
19.

Cap. 504.

20. (1) In determining an application under regulation 19, the Authority shall consider—

- (a) the compliance of the licensee with the Act, these Regulations and the conditions of the licence;
- (b) the effect of the proposed change on the ability of the licensee to comply with its licence conditions and its regulatory obligations;
- (c) the suitability of the proposed ownership or control structure, including the identity of the proposed beneficial owners;
- (d) the effect of the proposed change on consumers and on competition in the communications market; and
- (e) the public interest.

(2) The Authority may approve the application, approve the application subject to conditions, or reject the application.

(3) The Authority shall communicate its decision and the reasons for the decision in writing to the applicant within sixty days from the date on which the application becomes complete.

(4) Nothing in this regulation affects the application of the Competition Act to a transaction to which that Act applies.

Transfer or
assignment of a
licence.

21. (1) A licensee shall not transfer or assign a licence except with the prior written approval of the Authority.

(2) An application for approval of a transfer or assignment of a licence shall be made jointly by the transferor and the transferee in Form GL 10 and shall be accompanied by the transfer fee set out in the Second Schedule, which shall not exceed the licence fee applicable to the relevant category.

(3) Where the proposed transferee does not hold a licence in the category to which the licence relates, the Authority shall process the application in accordance with the requirements applicable to an application for the grant of a new licence in that category.

(4) Where the proposed transferee holds a licence in the category to which the licence relates, the Authority shall consider—

- (a) the compliance of the transferee with the Act, these Regulations and the conditions of its licence;
- (b) the effect of the proposed transfer on consumers and on competition in the communications market;
- (c) the discharge of the outstanding obligations and liabilities of the transferor under the licence; and
- (d) the public interest.

(5) An application under this regulation shall be accompanied by a joint report by the transferor and the transferee setting out the measures and the timelines proposed for the continuity of service to consumers and for the resolution of consumer complaints before the transfer takes effect.

(6) The Authority may approve the application, approve the application subject to conditions, or reject the application, and shall communicate its decision and the reasons for the decision in writing to the parties within sixty days from the date on which the application becomes complete.

(7) A licensee shall not create or purport to create a charge, lien or other security interest over a licence issued under these Regulations.

Effect of a transfer
or assignment.

22. Upon the approval of a transfer or assignment of a licence under regulation 21—

- (a) the transferee assumes the rights and obligations of the transferor under the licence with effect from the date specified in the approval;
- (b) the licence held by the transferee is valid for the unexpired residue of the term of the licence transferred;
- (c) the transferor ceases to be entitled to provide the service authorised by the licence with effect from that date;

- (d) the transfer does not extinguish a liability accrued by the transferor before the date of the transfer, unless the Authority otherwise determines in the approval; and
- (e) no compensation is payable by the Authority to the transferor.

PART V—MODIFICATION, RENEWAL AND CESSATION OF A LICENCE

Modification of a licence on application by a licensee.

23. (1) A licensee may apply to the Authority in Form GL 7 for the modification of a condition of its licence, and the application shall be accompanied by the modification fee prescribed in the Second Schedule.

(2) The Authority shall determine the application and communicate its decision and the reasons for the decision in writing to the licensee within sixty days from the date on which the application becomes complete.

Modification of a licence on the Authority's own motion.

24. (1) The Authority may, on its own motion, modify a condition of a licence where the modification is necessary—

- (a) to give effect to the Act or these Regulations;
- (b) for the efficient management or use of radio frequency spectrum; or
- (c) in the public interest.

(2) Before modifying a licence under sub-regulation (1), the Authority shall give the licensee written notice of not less than thirty days specifying the proposed modification and the reasons for it, and shall afford the licensee an opportunity to make representations.

(3) The Authority shall consider any representations made by the licensee and shall communicate its decision and the reasons for the decision in writing to the licensee.

Renewal of a licence.

25. (1) A licensee may apply to the Authority in Form GL 8 for the renewal of its licence not later than ninety days before the date of expiry of the licence.

(2) An application for renewal shall be accompanied by a fee equal to the licence fee set out in the Second Schedule for the grant of a licence in the relevant category, which constitutes the renewal fee.

(3) In determining an application for renewal, the Authority shall consider the compliance of the licensee with the Act, these Regulations, the conditions of the licence and any other applicable written law.

(4) The Authority shall determine an application for renewal and communicate its decision in writing to the licensee within ninety days from the date on which the application becomes complete, and shall, where the application is rejected or granted subject to conditions, communicate the reasons for the decision within fourteen days of the decision.

(5) Where a licensee has applied for renewal within the period specified in sub-regulation (1) and the Authority has not determined the application before the date of expiry of the licence, the licence continues in force until the application is determined.

(6) A licence renewed under this regulation shall be valid for the period specified in the Third Schedule in respect of the relevant category.

Surrender of a licence and discontinuation of a licensed service.

26. (1) A licensee who intends to surrender its licence or to discontinue a licensed service shall apply to the Authority for approval in Form GL 11 not less than six months before the intended date of surrender or discontinuation.

(2) An application under sub-regulation (1) shall be accompanied by a transition plan setting out—

- (a) the measures proposed to ensure the continuity of service to consumers, including, where applicable, the transfer of consumers to another licensee;
- (b) the manner in which the licensee proposes to discharge its outstanding obligations to consumers and to the Authority; and
- (c) the timelines for the implementation of the transition plan.

(3) The licensee shall give its customers notice in writing of not less than six months of the intended surrender or discontinuation and shall publish that notice in at least two newspapers of nationwide circulation.

(4) Where a licensee is unable to reach an agreement with another licensee on the transfer of customers, the licensee shall refer the matter to the Authority for determination.

(5) A surrender or discontinuation does not take effect until the Authority has approved the transition plan and the licensee has complied with it.

(6) This regulation is in addition to, and does not derogate from, the obligations of a licensee under the Regulations made under the Act relating to consumer protection.

Suspension or revocation of a licence.

Cap. 504.

27. (1) The Authority may suspend or revoke a licence where the licensee—

- (a) obtained the licence through fraud or misrepresentation;
- (b) has committed a serious or repeated contravention of the Act, these Regulations or a condition of the licence;
- (c) fails to pay a fee prescribed under the Second Schedule when it falls due;
- (d) fails to commence or to continue to provide the licensed service in accordance with the licence;
- (e) fails to meet a roll-out or quality of service obligation specified in the licence;
- (f) is insolvent, is wound up or is placed under liquidation; or
- (g) engages in conduct which has been determined to be anti-competitive under the Act or under the Competition Act.

(2) Before suspending or revoking a licence, the Authority shall—

(a) give the licensee written notice specifying the grounds relied upon and affording the licensee not less than thirty days within which to show cause why the licence should not be suspended or revoked; and

(b) consider any representations made by the licensee within that period.

(3) The Authority shall communicate its decision and the reasons for the decision in writing to the licensee within fourteen days of the decision.

(4) Where the Authority suspends a licence, it shall specify the period of the suspension and the measures which the licensee is required to take in order for the suspension to be lifted.

(5) This regulation is in addition to, and does not derogate from, the Regulations made under the Act relating to compliance and enforcement.

Interim
suspension.

28. (1) Despite regulation 27(2), the Authority may suspend a licence or a licensed service with immediate effect where the continued operation of the service poses an imminent and serious risk to public safety, national security, human life or the integrity of a communications network.

(2) The Authority shall, not later than seven days after a suspension under sub-regulation (1)—

(a) give the licensee written notice of the grounds for the suspension; and

(b) afford the licensee an opportunity to make representations.

(3) The Authority shall determine the matter within thirty days of the suspension and shall communicate its decision and the reasons for the decision in writing to the licensee.

(4) A suspension under sub-regulation (1) shall not remain in force for more than thirty days unless the Authority has determined the matter under sub-regulation (3).

Commencement
of licensed
activities and
lapse of a licence.

29. (1) A licensee shall notify the Authority in writing of the commencement of the provision of the licensed service within fourteen days of that commencement.

(2) Where a licensee does not commence the provision of the licensed service within twelve months from the date of the grant of the licence, the licence lapses at the expiry of that period.

(3) The Authority may, on written application made by the licensee before the expiry of the period specified in sub-regulation (2) and on good cause shown, extend that period by a further period not exceeding twelve months.

(4) A fee paid in respect of a licence which has lapsed is not refundable.

Effect of expiry,
suspension,
revocation or
surrender.

30. (1) Upon the expiry of a licence without renewal, or upon the suspension, revocation or surrender of a licence, the licensee shall immediately cease to provide the licensed service to the extent of the expiry, suspension, revocation or surrender.

(2) The expiry, suspension, revocation or surrender of a licence does not affect a liability incurred by the licensee before the date on which it takes effect.

Public notification
of licensing
decisions.

31. The Authority shall, prior to issuance of a licence publish on its website and in the Gazette a thirty (30) days notice of intension to—

- (a) grant of a licence;
- (b) renewal of a licence;
- (c) approval of a transfer or assignment of a licence;
- (d) suspend or revoke of a licence; and
- (e) surrender or lapse of a licence.

PART VI—OBLIGATIONS OF LICENSEES AND ENFORCEMENT

General
obligations of a
licensee.

32. A licensee shall—

- (a) comply with the Act, these Regulations and the conditions of its licence;
- (b) commence and continue to provide the licensed service in accordance with the licence;
- (c) pay the fees set out in the Second Schedule on or before the due date;
- (d) maintain proper books of account and submit to the Authority its audited financial statements and such compliance reports as are required under the Act, these Regulations or the conditions of the licence;
- (e) notify the Authority in writing of a material change in the information provided in its application within fourteen days of the change; and
- (f) retain the records relating to the licensed service for such period as is required under the Act or any other written law.

Duty of care.

33. (1) A licensee shall carry on the licensed activity in a manner which does not cause a health, environmental or safety hazard.

(2) Where a licensee carries out works affecting private or public infrastructure or property, the licensee shall take all reasonable steps to restore that infrastructure or property to the condition in which it was before the works were undertaken.

(3) A licensee shall, before undertaking an activity which is likely to affect the operations of a public utility, enter into an agreement with that public utility providing for the manner in which the activity is to be carried out.

Inspection.

34. A licensee shall, at all reasonable times, permit an officer of the Authority authorised under the Act to enter its premises and to inspect the equipment, installations and records relating to the licensed service, for the purpose of verifying compliance with the Act, these Regulations and the conditions of the licence.

Offences.

35. A person who—

- (a) provides a service specified in regulation 5(1) without a valid licence or authorisation;

- (b) knowingly provides false or misleading information to the Authority in an application made under these Regulations; or
 - (c) implements a change in ownership or control in contravention of regulation 19(4), or transfers or assigns a licence in contravention of regulation 21(1),
- commits an offence and is liable on conviction to the penalty provided under the Act.

Enforcement.

36. (1) A contravention of these Regulations which is not an offence under regulation 35 shall be dealt with in accordance with the Act and the Regulations made under the Act relating to compliance and enforcement.

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(2) The exercise of a power under these Regulations shall comply with the Fair Administrative Action Act.

Review by the Authority.

37. (1) A person aggrieved by a decision of the Authority made under these Regulations may apply to the Authority in writing for a review of the decision within fourteen days of being notified of the decision.

(2) An application under sub-regulation (1) shall specify the grounds on which the review is sought.

(3) The Authority shall determine an application for review and communicate its decision and the reasons for the decision in writing to the applicant within thirty days of receipt of the application.

Appeal to the Tribunal.

38. (1) A person aggrieved by a decision of the Authority made under these Regulations, or by a decision of the Authority on a review under regulation 37, may appeal to the Tribunal within thirty days of being notified of the decision.

(2) An appeal under sub-regulation (1) may be lodged whether or not the person has applied for a review under regulation 37.

PART VII—REVOCATION, SAVINGS AND TRANSITIONAL PROVISIONS

Revocation.

L.N. No. 68 of 2001. L.N. No. 71 of 2010.

39. The following Regulations are revoked—

- (a) the Kenya Communications Regulations, 2001; and
- (b) the Kenya Information and Communications (Licensing and Quality of Service) Regulations, 2010.

Savings and transitional provisions.

40. Despite regulation 39—

- (a) a licence, authorisation, frequency assignment or approval granted under the revoked Regulations and subsisting immediately before the commencement of these Regulations continues in force, subject to the conditions under which it was granted, until the date of its expiry, and shall be treated as having been granted under these Regulations;
- (b) an application made under the revoked Regulations and pending immediately before the commencement of these Regulations shall be determined in accordance with these Regulations;

- (c) proceedings, an investigation, a review or an appeal commenced under the revoked Regulations and pending immediately before the commencement of these Regulations shall be continued and concluded as if these Regulations had not been made;
- (d) a right, obligation or liability accrued or incurred under the revoked Regulations before the commencement of these Regulations is preserved and may be enforced as if these Regulations had not been made;
- (e) a period of time which began to run under the revoked Regulations and had not expired immediately before the commencement of these Regulations continues to run as if these Regulations had not been made; and
- (f) an act lawfully done under the revoked Regulations before the commencement of these Regulations is deemed to have been done under the corresponding provision of these Regulations.

Transition into the consolidated market structure.

41. (1) A licence subsisting immediately before the commencement of these Regulations shall be treated as falling within the category set out in the First Schedule which corresponds most closely to the regulated activity authorised by that licence.

(2) The Authority shall, within twelve months of the commencement of these Regulations, notify each licensee in writing of the category in the First Schedule within which its licence falls.

(3) The treatment of a licence under sub-regulation (1) does not vary the duration, the conditions, the geographic scope or the fees applicable to that licence for the unexpired residue of its term.

(4) A licensee who is dissatisfied with a notification under sub-regulation (2) may apply to the Authority for a review under regulation 37.

FIRST SCHEDULE

CONSOLIDATED MARKET STRUCTURE

The consolidated market structure organises the regulated market into sectors, subsectors and categories of licences and authorisations. A licence or an authorisation shall be granted only in respect of a category set out in this Schedule.

PART A—TELECOMMUNICATIONS SECTOR

Category	Licence or authorisation	Nature	Regulated activity or scope
A1	Network Facilities Provider — Tier 1 (NFP-T1)	Network and facilities	The establishment, ownership and operation of a national communications network and facilities, with rights to national access spectrum reservation, including the provision of wholesale capacity to other licensees.
A2	Network Facilities Provider — Tier 2 (NFP-T2)	Network and facilities	The establishment, ownership and operation of a nationwide communications network and facilities, with regional spectrum assignment subject to availability in any regional or metropolitan geographic area and also includes the provision of wholesale capacity to other licensees.
A3	Network Facilities Provider — Tier 3 (NFP-T3)	Network and facilities	The establishment, ownership and operation of a communications network and facilities within a licensed local geographic scope limited to 3 counties and also includes the provision of wholesale capacity to other licensees.
A4	Micro Network and Service Provider (MNSP)	Network and Services	The establishment and operation of a communications network and provision of communications services limited to one (1) county,
B1	Private VSAT Operator (PVSAT)	Satellite networks	The operation of very small aperture terminals for the private communications requirements of the licensee, otherwise than for the provision of a service to third parties.
B2	Community Network and Services Provider (CNSP)	Community and Services	The establishment and operation of a communications network, and the provision of services over that network, by a non-profit entity which is owned, controlled and managed by the community served, within a licensed sub-county geographic scope.
C1	Landing Rights Authorisation (LRA)	International infrastructure	The landing or transiting of a submarine cable system in Kenya, or the provision of access to satellite footprint or capacity over the territory of Kenya, in accordance with the conditions of the authorisation.
C2	International Gateway Systems and Services (IGSS)	International infrastructure	The establishment, ownership and operation of an international gateway for the conveyance of communications into and out of Kenya, including the provision of international wholesale capacity over satellite, terrestrial cross border and submarine cable systems.
SERVICE AND EQUIPMENT LICENCES			
D1	Applications Service Provider (ASP)	Communications services	The provision of end to end communications services to end users over the network of a network facilities provider.
D2	Content Service Provider (CSP)	Communications services	The provision, aggregation or distribution of content services to end users over a communications network, other than a broadcasting service.
D3	Electronic Certification Service Provider (E-CSP)	Electronic certification	The provision of electronic certification services, including the issue, suspension and revocation of digital certificates supporting electronic signatures.
D4	.ke Sub-domain Name Registrar Service Provider	Internet resources	The provision of registrar services in respect of names within the .ke country code top level domain.

Category	Licence or authorisation	Nature	Regulated activity or scope
D5	Communications Equipment Distributor (CED)	Equipment Distribution	The importation, distribution and wholesale distribution of communications equipment in Kenya
D6	Communications Equipment Contractor (CEC)	Communications Contractor	The installation, maintenance and repair of communications equipment and infrastructure on a contractual basis.
D7	Business Process Outsourcing (BPO)	Communications services	The provision of business process or call centre outsourcing services delivered over a communications network.
D8	Communications Equipment Vendor (CEV)	Communications equipment	The vending or retail sale of communications equipment.
D9	Public Communications Access Centre (PCAC)	Communications services	The operation of premises at which communications services are made available to members of the public for use on payment.
TECHNICAL PERSONNEL LICENCES			
E1	Telecommunications Engineering Personnel	Technical personnel	The practice, by a natural person, of telecommunications engineering work within the scope of telecommunication works specified in the licence.
E2	Telecommunications Systems Professional	Technical personnel	The practice, by a natural person, of telecommunications systems work within the scope of Information Technology works specified in the licence.

PART B—POSTAL AND COURIER SECTOR

Category	Licence or authorisation	Nature	Regulated activity or scope
F1	Public Postal Operator (PPO)	Postal services	The provision of the public postal service, including the reserved postal letter box and stamps and the universal postal service obligations imposed under the Act.
F2	International Courier Operator (ICO)	Courier services	The collection, conveyance and delivery of postal articles between Kenya and destinations outside Kenya.
F3	National Courier Operator (NCO)	Courier services	The collection, conveyance and delivery of postal articles within Kenya.
F4	Courier Hailing Service Provider (CHSP)	Courier services	The operation of a digital platform which matches a person requiring the conveyance of a postal article with a courier agent or other licensed courier operator providing that conveyance.
F5	Independent Courier Personnel (ICP)	Courier services	The conveyance and delivery of postal articles by a natural person operating independently.

PART C—BROADCASTING SECTOR

Category	Licence or authorisation	Nature	Regulated activity or scope
G1	Broadcast Signal Distributor — Common Carrier	Signal distribution	The distribution of broadcasting signals on a common carrier basis for broadcasting service licensees.
G2	Broadcast Signal Distributor — Self-Provisioning	Signal distribution	The distribution by a broadcasting service licensee of the broadcasting signals of its own broadcasting service.
G3	Commercial Free-to-Air Television	Broadcasting services	The provision of a commercial free-to-air television broadcasting service.
G4	Commercial Free-to-Air Radio	Broadcasting services	The provision of a commercial free-to-air sound broadcasting service.

Category	Licence or authorisation	Nature	Regulated activity or scope
G5	Public Free-to-Air Television	Broadcasting services	The provision of a public free-to-air television broadcasting service.
G6	Public Free-to-Air Radio	Broadcasting services	The provision of a public free-to-air sound broadcasting service.
G7	Community Free-to-Air Television	Broadcasting services	The provision of a community free-to-air television broadcasting service by a not-for-profit entity owned and controlled by the community served.
G8	Community Free-to-Air Radio	Broadcasting services	The provision of a community free-to-air sound broadcasting service by a not-for-profit entity owned and controlled by the community served.
G9	Subscription Broadcasting Service	Broadcasting services	The provision of a broadcasting service to subscribers on a subscription basis.
G10	Subscription Management Service	Broadcasting services	The management of subscribers, subscriber authorisation and subscriber billing on behalf of a subscription broadcasting service.
G11	Landing Rights (Broadcasting)	Broadcasting services	The reception and rebroadcast in Kenya of a broadcasting service originating outside Kenya.

PART D—RADIO FREQUENCY SPECTRUM AND RADIO STATIONS

An authorisation in this Part is granted in addition to, and does not substitute for, a licence granted under Part A, B or C of this Schedule.

Category	Licence or authorisation	Nature	Regulated activity or scope
H1	Amateur radio station licence	Radio station licence	The establishment and operation of an amateur radio station in the amateur radio service.
H2	Aeronautical station licence	Radio station licence	The establishment and operation of a land station in the aeronautical mobile service for communication with aircraft stations.
H3	Aircraft station licence	Radio station licence	The establishment and operation of a mobile station aboard an aircraft in the aeronautical mobile service.
H4	Coast station licence	Radio station licence	The establishment and operation of a land station in the maritime mobile service for communication with ship stations.
H5	Ship station licence	Radio station licence	The installation and operation of radio apparatus aboard a ship in the maritime mobile service.
H6	Fixed station operating in the mobile service licence	Radio station licence	The establishment and operation of a radiocommunication station at a fixed location for carrying on a mobile radiocommunication service.
H7	Mobile station licence	Radio station licence	The installation and operation of radio apparatus for transmission and reception aboard a vehicle, aircraft or ship.
H8	Portable station licence	Radio station licence	The operation of portable radiocommunication apparatus in the mobile service.
H9	Citizen band radio authorisation	Authorisation	The operation of low power radio apparatus in the 27 MHz band (26 925 kHz to 27 403 kHz).
H10	Alarm system authorisation	Authorisation	The installation and operation of a radio alarm unit.
H11	Fixed satellite earth station licence	Radio station licence	The establishment and operation of a fixed satellite earth station transmitter or carrier.
H12	Sound broadcasting station frequency assignment	Frequency assignment	The use of a specified frequency for the transmission of a sound broadcasting service, whether analogue or digital.
H13	Television broadcasting station frequency assignment	Frequency assignment	The use of a specified frequency for the transmission of a television broadcasting service.
H14	Terrestrial fixed link frequency assignment	Frequency assignment	The use of a specified frequency for a point-to-point terrestrial fixed link.
H15	Fixed wireless access system frequency assignment	Frequency assignment	The use of a specified frequency or bandwidth for the provision of fixed wireless access services.
H16	Trunked radio network frequency assignment	Frequency assignment	The use of a specified frequency or bandwidth for the operation of a public access mobile radio system or a private mobile radio system.
H17	Mobile wireless access system frequency assignment	Frequency assignment	The use of a specified bandwidth for the provision of mobile wireless access services, including cellular services.
H18	Wireless access system authorisation (shared, non-protected)	Authorisation	The operation of a wireless access system on a shared and non-protected basis, other than a system whose coverage or range is confined within a building or a campus.

Note—A licence or an authorisation shall be granted only in respect of a category set out in this Schedule. A category may be introduced, combined, varied or removed only in accordance with regulation 6

SECOND SCHEDULE**FEES**

All amounts are in Kenya Shillings unless otherwise stated. A reference to a percentage of annual gross turnover is a reference to the annual gross turnover of the licensee for the preceding financial year as disclosed in its audited financial statements. The expression “N/A” means that the fee does not apply to the category.

PART A—TELECOMMUNICATIONS SECTOR

Cat.	Licence or authorisation	Application fee	Initial licence fee	Annual operating fee
A1	Network Facilities Provider — Tier 1 (NFP-T1) (fifteen year term)	5,000	15,000,000	0.4% of annual gross turnover or 4,000,000, whichever is higher
A1	Network Facilities Provider — Tier 1 (NFP-T1) (optional twenty-five year term)	5,000	45,000,000	0.4% of annual gross turnover or 4,000,000, whichever is higher
A2	Network Facilities Provider — Tier 2 (NFP-T2) (fifteen year term)	5,000	15,000,000	0.4% of annual gross turnover or 800,000, whichever is higher
A3	Network Facilities Provider — Tier 3 (NFP-T3)	5,000	200,000	0.4% of annual gross turnover or 160,000, whichever is higher
A4	Micro Network and Service Provider (MNSP)	2,000	25,000	0.4% of annual gross turnover or 25,000, whichever is higher
B1	Private VSAT Operator (PVSAT)	1,000	N/A	100,000 per terminal
B2	Community Network and Services Provider (CNSP)	1,000	5,000	5,000
C1	Landing Rights Authorisation (LRA)	USD 500	USD 25,000	N/A
C2	International Gateway Systems and Services (IGSS) (fifteen year term)	5,000	15,000,000	0.4% of annual gross turnover or 4,000,000, whichever is higher
C2	International Gateway Systems and Services (IGSS) (optional twenty-five year term)	5,000	45,000,000	0.4% of annual gross turnover or 4,000,000, whichever is higher
D1	Applications Service Provider (ASP) (fifteen year term)	5,000	100,000	0.4% of annual gross turnover or 80,000, whichever is higher
D1	Applications Service Provider (ASP) (optional twenty-five year term)	5,000	300,000	0.4% of annual gross turnover or 80,000, whichever is higher
D2	Content Service Provider (CSP) (fifteen year term)	5,000	100,000	0.4% of annual gross turnover or 80,000, whichever is higher
D2	Content Service Provider (CSP) (optional twenty-five year term)	5,000	300,000	0.4% of annual gross turnover or 80,000, whichever is higher
D3	Electronic Certification Service Provider (E-CSP)	5,000	100,000	0.4% of annual gross turnover or 80,000, whichever is higher
D4	.ke Sub-domain Name Registrar Service Provider (fifteen year term)	N/A	10,000	3,000
D5	Communications Equipment Distributor (CED)	5,000	250,000	0.4% of annual gross turnover or 120,000, whichever is higher
D6	Communications Equipment Contractor (CEC)	1,000	10,000	0.4% of annual gross turnover or 10,000, whichever is higher
D7	Business Process Outsourcing (BPO)	N/A	10,000	3,000

Cat.	Licence or authorisation	Application fee	Initial licence fee	Annual operating fee
D8	Communications Equipment Vendor (CEV)	N/A	N/A	N/A
D9	Public Communications Access Centre (PCAC)	N/A	N/A	N/A
E1	Telecommunications Engineering Personnel	500	1,000	500
E2	Telecommunications Systems Professional	500	1,000	500

PART B—POSTAL AND COURIER SECTOR

Cat.	Licence or authorisation	Application fee	Initial licence fee	Annual operating fee
F1	Public Postal Operator (PPO)	5,000	1,500,000	500,000
F2	International Courier Operator (ICO)	5,000	100,000	0.4% of annual gross turnover or 100,000, whichever is higher
F3	National Courier Operator (NCO)	5,000	30,000	0.4% of annual gross turnover or 30,000, whichever is higher
F4	Courier Hailing Service Provider (CHSP)	5,000	100,000	0.4% of annual gross turnover or 100,000, whichever is higher
F5	Independent Courier Personnel (ICP)	N/A	3,000	N/A

PART C—BROADCASTING SECTOR

An annual operating fee under this Part is payable on or before the first day of July in each year.

Cat.	Licence or authorisation	Application fee	Initial licence fee	Annual operating fee
G1	Broadcast Signal Distributor — Common Carrier	5000	Determined through tendering process (bid price),	0.4% of annual turnover or 800,000.00 whichever is higher
G2	Broadcast Signal Distributor — Self-Provisioning	5000	15,000,000	0.4% of annual turnover or 800,000.00 whichever is higher
G3	Commercial Free-to-Air Television	5,000	100,000	0.4% of annual gross turnover or 80,000, whichever is higher
G4	Commercial Free-to-Air Radio	5,000	100,000	0.4% of annual gross turnover or 80,000, whichever is higher
G5	Public Free-to-Air Television	2,500	100,000	80,000
G6	Public Free-to-Air Radio	2,500	50,000	40,000
G7	Community Free-to-Air Television	1,000	30,000	30,000
G8	Community Free-to-Air Radio	1,000	15,000	15,000
G9	Subscription Broadcasting Service	5,000	100,000	0.4% of annual gross turnover or 80,000, whichever is higher
G10	Subscription Management Service	5,000	100,000	0.4% of annual gross turnover or 80,000, whichever is higher
G11	Landing Rights (Broadcasting)	5,000	USD \$12,500	N/A

Note—A public sound broadcasting service provided by means of digital sound broadcasting attracts the same fees as those prescribed for category G6.

PART D—SPECTRUM AND RADIO STATION FEES

An application fee of 1,200 shillings is payable in respect of each application for a frequency assignment or a radio station licence under this Part.

Division 1—Fixed fees

Cat.	Radio station or authorisation	Basis of charge	MF / HF	VHF / UHF
H2	Aeronautical station licence	Per station per frequency, annually	22,500	6,000
H3	Aircraft station licence	Per station, annually	6,000	6,000
H4	Coast station licence	Per station per frequency, annually	22,500	6,000
H5	Ship station licence	Per station, annually	7,000	3,500
H6	Fixed station operating in the mobile service	Per station per frequency, annually	22,500	6,000
H7	Mobile station licence	Per station per frequency, annually	7,000	3,500
H8	Portable station licence	Per station per frequency, annually	N/A	3,500
H1	Amateur radio station licence	Per station, annually	2,000	2,000
H9	Citizen band radio authorisation	Per station, once	2,000	N/A
H10	Alarm system authorisation	Per unit, annually	N/A	1,500
H18	Wireless access system (shared, non-protected)	Per terminal or sector, annually	12,000	12,000

Note—The fee prescribed for category H18 does not apply to a wireless access system whose coverage or range is confined within a building or a campus.

Division 2—Fees determined by formula

1. Fixed satellite earth stations (category H11)

The annual frequency fee payable in respect of a satellite earth station transmitter or carrier is—

$$\mathbf{FF\ (KES) = U \times BW}$$

where—

U is the fixed unit fee of 120,000 shillings; and

BW is the bandwidth factor, which is—

0.25 where the bandwidth is not more than 0.25 MHz;

0.5 where the bandwidth is more than 0.25 MHz but not more than 0.5 MHz;

1 where the bandwidth is more than 0.5 MHz but not more than 1 MHz;

2 where the bandwidth is more than 1 MHz but not more than 3 MHz;

4 where the bandwidth is more than 3 MHz but not more than 6 MHz;

8 where the bandwidth is more than 6 MHz but not more than 10 MHz;

10 where the bandwidth is more than 10 MHz but not more than 100 MHz;

20 where the bandwidth is more than 100 MHz but not more than 1 000 MHz; and

40 where the bandwidth is more than 1 000 MHz.

2. Analogue sound broadcasting stations (category H12)

The annual frequency fee payable in respect of a broadcasting transmitter is—

$$\mathbf{FF\ (KES) = (2^n - 1)(U \times FZ)}$$

where—

n is the number of frequencies per site;

U is the unit fee, which is 18,000 shillings in the case of a community or public sound broadcasting service or a low power gap filler, and 78,000 shillings in the case of a commercial sound broadcasting service; and

FZ is the frequency zone factor, which is 2 for Zone A and 1 for Zone B.

3. Digital sound broadcasting stations (category H12)

The annual frequency fee payable in respect of a digital sound broadcasting station transmitter is—

$$\mathbf{FF\ (KES) = U \times FZ}$$

where—

U is the unit fee of 100,000 shillings; and

FZ is the frequency zone factor, which is 2 for Zone A and 1 for Zone B.

An administrative fee of 12,000 shillings per frequency per site is payable in respect of each additional transmitter which reuses the main frequency as a gap filler within the coverage area of the main frequency.

4. Television broadcasting stations (category H13)

The annual frequency fee payable in respect of a television broadcasting station transmitter is—

$$\mathbf{FF\ (KES) = U \times FZ}$$

where—

U is the unit fee of 220,000 shillings; and

FZ is the frequency zone factor, which is 2 for Zone A and 1 for Zone B.

An administrative fee of 12,000 shillings per frequency per site is payable in respect of each additional low power transmitter, having an effective radiated power of not more than 1 000 watts, which reuses the main frequency as a gap filler within the coverage area of the main frequency.

5. Terrestrial fixed links (category H14)

The annual frequency fee payable in respect of each transmitter at each location is—

$$F \text{ (KES)} = \text{Assigned Bandwidth (kHz)} \times \text{Band Factor} \times \text{Unit Fee} \times \text{FZ}$$

where—

the unit fee is 80 shillings;

the assigned bandwidth is the radio frequency bandwidth in kilohertz, subject to a minimum of 500 kHz;

the band factor is—

0.9 where the frequency band is not more than 1 GHz;

0.3 where the frequency band is more than 1 GHz but not more than 10 GHz;

0.21 where the frequency band is more than 10 GHz but not more than 20 GHz;

0.15 where the frequency band is more than 20 GHz but not more than 24 GHz;

0.1 where the frequency band is more than 24 GHz but not more than 40 GHz; and

0.001 where the frequency band is more than 40 GHz but not more than 100 GHz; and

FZ is the frequency zone factor, which is 1 for Zone A and 0.5 for Zone B.

6. Mobile wireless access systems (category H17)

The annual frequency fee payable is—

$$F \text{ (KES)} = \text{Unit Fee} \times \text{Band Factor} \times \text{Assigned Bandwidth (MHz)}$$

where—

the unit fee is 17,000,000 shillings;

the band factor is 1 for a low band of not more than 1 GHz, 0.5 for a medium band of more than 1 GHz but not more than 6 GHz, and 0.01 for a high band of more than 6 GHz; and

the assigned bandwidth refers to time division duplex spectrum.

7. Fixed wireless access systems (category H15)

(a) Exclusive spectrum bandwidth assignment fee

Where a licensee has been assigned the exclusive use of a specified bandwidth countrywide, an annual fee is payable, in addition to the spectrum usage fee under paragraph (b), calculated as—

$$F_n \text{ (KES)} = \text{Assigned Bandwidth (kHz)} \times \text{Weighting Factor} \times \text{Unit Fee}$$

where the weighting factor is 6 and the unit fee is 125 shillings.

(b) Spectrum usage fee

The annual frequency fee payable is 288,000 shillings for each assigned frequency pair of one megahertz, or the amount calculated in accordance with the following formula, whichever is higher—

$$F_u \text{ (KES)} = 120,000 \times n \times \text{FB} \times \text{Rate}$$

where—

n is the actual or equivalent number of duplex transceivers of 1.75 MHz estimated to be in use at the end of the year under review, the annual spectrum management cost of one such transceiver being 120,000 shillings;

FB is the frequency band factor, which is 0.8 where the frequency band is not more than 1 GHz, 0.7 where it is more than 1 GHz but not more than 6 GHz, 0.6 where it is more than 6 GHz but not more than 10 GHz, 0.5 where it is more than 10 GHz but not more than 20 GHz, 0.4 where it is more than 20 GHz but not more than 30 GHz, and 0.3 where it is more than 30 GHz; and

Rate is 1 for the first fifty transceivers, 0.75 for the next fifty transceivers and 0.5 for the remaining transceivers.

8. Trunked radio networks (category H16)

(a) Exclusive spectrum bandwidth assignment fee

Where a licensee has been assigned the exclusive use of a specified bandwidth countrywide, an annual fee is payable, in addition to the spectrum usage fee under paragraph (b), calculated as—

$$F_n \text{ (KES)} = \text{Assigned Bandwidth (kHz)} \times \text{Weighting Factor} \times \text{Unit Fee}$$

where the weighting factor is 6 and the unit fee is 150 shillings.

(b) Spectrum usage fee

The annual frequency fee payable is—

$$F_u \text{ (KES)} = 50,000 \times n \times K_1$$

where—

n is the actual or equivalent number of duplex transceivers of 25 kHz estimated to be in use at the end of the year under review, the annual spectrum management cost of one such transceiver being 50,000 shillings; and

K₁ is 1 in the case of a trunked public access mobile radio system and 3.5 in the case of a trunked private mobile radio system.

9. Frequency zones

For the purposes of this Division, Zone A and Zone B are the geographical zones determined by the Authority and published in the Gazette. [The map of the frequency zones is to be inserted as an annexure to this Schedule.]

PART E—OTHER FEES

Fee	Amount
Application for the modification of a licence (regulation 23)	[]
Application for the approval of a change in ownership or control (regulation 19)	[]
Application for the approval of the transfer or assignment of a licence (regulation 21)	An amount determined by the Authority, not exceeding the licence fee applicable to the relevant category
Application for a frequency assignment or a radio station licence	1,200

***Note—1.** A fee shall not be imposed in respect of a licence or an authorisation granted under these Regulations unless that fee is prescribed in this Schedule or in a notice under regulation 6(4).*

***2.** On the renewal of a licence, the fee payable is the licence fee prescribed in this Schedule for the grant of a licence in the relevant category.*

***3.** The universal service levy is collected and administered in accordance with the provisions of the Act relating to universal access and any regulations made under the Act for that purpose.*

THIRD SCHEDULE**DURATION OF LICENCES AND AUTHORISATIONS**

The duration specified in this Schedule is calculated from the date of issue of the licence or authorisation. On the approval of a transfer or an assignment under regulation 21, the licence held by the transferee is valid for the unexpired residue of the term of the licence transferred.

PART A—TELECOMMUNICATIONS SECTOR

Category	Licence or authorisation	Duration
A1	Network Facilities Provider — Tier 1 (NFP-T1)	Fifteen years, or, at the option of the applicant, twenty-five years
A2	Network Facilities Provider — Tier 2 (NFP-T2)	Fifteen years
A3	Network Facilities Provider — Tier 3 (NFP-T3)	Fifteen years
A4	Micro Network and Service Provider (MNSP)	Fifteen years
B1	Private VSAT Operator (PVSAT)	Ten years
B2	Community Network and Services Provider (CNSP)	Ten years
C1	Landing Rights Authorisation (LRA)	Ten years
C2	International Gateway Systems and Services (IGSS)	Fifteen years, or, at the option of the applicant, twenty-five years
D1	Applications Service Provider (ASP)	Fifteen years, or, at the option of the applicant, twenty-five years
D2	Content Service Provider (CSP)	Fifteen years, or, at the option of the applicant, twenty-five years
D3	Electronic Certification Service Provider (E-CSP)	Fifteen years
D4	.ke Sub-domain Name Registrar Service Provider	Fifteen years
D5	Communications Equipment Distributor (CED)	Fifteen years
D6	Communications Equipment Contractor (CEC)	Fifteen years
D7	Business Process Outsourcing (BPO)	Fifteen years
D8	Communications Equipment Vendor (CEV)	[open]
D9	Public Communications Access Centre (PCAC)	[open]
E1	Telecommunications Engineering Personnel	Ten years
E2	Telecommunications Systems Professional	Ten years

PART B—POSTAL AND COURIER SECTOR

Category	Licence or authorisation	Duration
F1	Public Postal Operator (PPO)	Fifteen years
F2	International Courier Operator (ICO)	Ten years
F3	National Courier Operator (NCO)	Ten years
F4	Courier Hailing Service Provider (CHSP)	Ten years
F5	Independent Courier Personnel (ICP)	Three years

PART C—BROADCASTING SECTOR

Category	Licence or authorisation	Duration
G1	Broadcast Signal Distributor — Common Carrier	Fifteen Years
G2	Broadcast Signal Distributor — Self-Provisioning	Fifteen Years
G3	Commercial Free-to-Air Television	Ten years
G4	Commercial Free-to-Air Radio	Ten years
G5	Public Free-to-Air Television	Ten years
G6	Public Free-to-Air Radio	Ten years
G7	Community Free-to-Air Television	Ten years
G8	Community Free-to-Air Radio	Ten years
G9	Subscription Broadcasting Service	Ten years
G10	Subscription Management Service	Ten years
G11	Landing Rights (Broadcasting)	Fifteen years

PART D—RADIO FREQUENCY SPECTRUM AND RADIO STATIONS

Category	Licence or authorisation	Duration
H1	Amateur radio station licence	One year to five years, as determined by the Authority
H2	Aeronautical station licence	One year
H3	Aircraft station licence	One year
H4	Coast station licence	One year
H5	Ship station licence	One year
H6	Fixed station operating in the mobile service licence	One year
H7	Mobile station licence	One year
H8	Portable station licence	One year
H9	Citizen band radio authorisation	One year
H10	Alarm system authorisation	One year
H11	Fixed satellite earth station licence	One year
H12	Sound broadcasting station frequency assignment	Aligned with the duration of the broadcasting service licence to which it relates
H13	Television broadcasting station frequency assignment	Aligned with the duration of the broadcasting service licence to which it relates
H14	Terrestrial fixed link frequency assignment	One year
H15	Fixed wireless access system frequency assignment	One year
H16	Trunked radio network frequency assignment	One year
H17	Mobile wireless access system frequency assignment	Aligned with the duration of the network facilities provider licence to which it relates
H18	Wireless access system authorisation (shared, non-protected)	One year

Note—Where the duration of a frequency assignment or a radio station licence is aligned with another licence, it expires on the date on which that licence expires, and it may be renewed together with that licence.

FOURTH SCHEDULE

PRESCRIBED FORMS

- a. *The Forms set out in this Schedule are the prescribed Forms for the purposes of regulation 10.*
- b. *Form GL 1 shall accompany every application made under Forms GL 2 to GL 6, GL 8, GL 9 and GL 10. An applicant who makes more than one application at the same time is not required to submit more than one Form GL 1 in respect of those applications.*
- c. *In accordance with regulation 11, a Form set out in this Schedule may be completed and submitted, a document may be attached, a fee may be paid and a declaration may be signed in electronic form through the electronic licensing system established or designated by the Authority, and a Form is duly completed if the particulars it requires are captured through that system.*

FORM GL 1
GENERAL APPLICANT INFORMATION

(r. 10(3))

Where the space provided is insufficient, the information may be given in an annexure to this Form, and each annexure shall be numbered, signed and referenced to the relevant item of this Form.

A. PARTICULARS OF THE APPLICANT

1. Full registered name of the applicant
2. Registration or incorporation number
3. Date of registration or incorporation
4. Legal form of the applicant (tick one)—
 - ☐ Natural person
 - ☐ Company limited by shares
 - ☐ Company limited by guarantee
 - ☐ Partnership or limited liability partnership
 - ☐ Public entity established under a written law
 - ☐ Society, co-operative society or non-governmental organisation
 - ☐ Other (specify)
5. Personal identification number (PIN)

B. CONTACT ADDRESS

6. Physical address: County Town Street or road
7. Building Floor Room
8. Postal address: P.O. Box Postal code Town
9. Telephone number (primary) (alternative)
10. Electronic mail address
11. Full name of the principal contact person
12. Designation, telephone number and electronic mail address of the principal contact person

C. OWNERSHIP, CONTROL AND BENEFICIAL OWNERSHIP

13. State the particulars of every shareholder or member of the applicant and, where a shareholder is a body corporate, of the shareholders of that body corporate to the second level of ownership.

Full name	Nationality	Identification or registration number	Number of shares or interest held	Percentage held

14. State the particulars of every director, partner or member of the governing body of the applicant.

Full name	Nationality	Identification number	Position held	Date of appointment

15. State the particulars of every beneficial owner of the applicant within the meaning of the Companies Act.

Full name	Nationality	Identification number	Nature of the beneficial interest	Percentage held

16. Is the applicant, or a director, shareholder, partner or beneficial owner of the applicant, the holder of an interest in an entity licensed by the Authority? ☐ Yes ☐ No

If yes, give particulars—

.....

17. Has the applicant, or a director, shareholder or partner of the applicant, been declared bankrupt, been placed under liquidation or administration, or been adjudged incapable of managing his or her own affairs? ☐ Yes ☐ No

If yes, give particulars—

.....

18. Is the applicant a company listed on a securities exchange licensed under the Capital Markets Act? ☐ Yes ☐ No

If yes, state the securities exchange and attach the confirmation of listing issued by the Capital Markets Authority.

.....

D. DOCUMENTS ACCOMPANYING THIS FORM

Tick each document attached. A document marked “conditional” is required only where the condition stated applies to the applicant.

- ☐ Affidavit verifying the category applied for and the authenticity of the documents accompanying the application — mandatory
- ☐ Certificate of incorporation or registration, or, in the case of a public entity, the written law or instrument establishing it — mandatory
- ☐ Evidence of shareholding and directorship issued by the Registrar of Companies, issued not earlier than two months before the date of the application — conditional: bodies corporate
- ☐ Copy of the identification document of each director and each beneficial owner — mandatory

- ☐ Valid tax compliance certificate — mandatory
- ☐ Certificate of compliance issued by the Registrar of Companies — conditional: foreign companies
- ☐ Confirmation of listing issued by the Capital Markets Authority — conditional: listed companies
- ☐ By-laws, constitution or partnership deed, and the resolution authorising the application — conditional: societies, co-operative societies, non-governmental organisations and partnerships
- ☐ Power of attorney or other evidence of the authority of the signatory — conditional: where the Form is executed by an attorney or agent

D. DECLARATION

I declare that—

- (a) the information given in this Form and in the documents accompanying it is true, complete and correct;
- (b) the particulars of the shareholding, directorship and beneficial ownership of the applicant given in this Form are true, complete and correct;
- (c) I am duly authorised to make this application on behalf of the applicant; and
- (d) I understand that it is an offence to give false or misleading information to the Authority.

Name of signatory

Designation

Signature

Date

Capacity in which this Form is executed (tick as applicable)—

- ☐ Natural person
- ☐ Director or authorised officer of a company (affix common seal or company stamp where applicable)
- ☐ Partner, on behalf of a partnership
- ☐ Accounting officer or chief executive officer of a public entity
- ☐ Authorised officer of a society, co-operative society or other body (attach the resolution authorising the application)
- ☐ Attorney acting under a power of attorney (attach the power of attorney)

FORM GL 2
APPLICATION FOR A POSTAL OR COURIER LICENCE

(r. 10(2)(a))

This Form shall be accompanied by Form GL 1 and by the application fee prescribed in the Second Schedule.

Where the space provided is insufficient, the information may be given in an annexure to this Form, and each annexure shall be numbered, signed and referenced to the relevant item of this Form.

A. LICENCE APPLIED FOR

1. Tick the category applied for (one Form per category)—

- ☐ Public Postal Operator (PPO) — category F1
- ☐ International Courier Operator (ICO) — category F2
- ☐ National Courier Operator (NCO) — category F3
- ☐ Courier Hailing Service Provider (CHSP) — category F4
- ☐ Independent Courier Personnel (ICP) — category F5

B. SERVICE DESCRIPTION

2. Describe the services to be provided, the target market and the mode of conveyance to be used.

.....

3. State the routes, sectors or destinations applied for.

.....

4. State the projected number of customers and the projected annual gross turnover for each of the first three years of operation.

.....

5. State the sources of funding for the proposed operations.

.....

C. QUALITY OF SERVICE AND SECURITY OF POSTAL ARTICLES

6. Does the applicant intend to operate a track and trace system? ☐ Yes ☐ No

If yes, describe the operation of the system, including how a postal article is tracked from collection to delivery and how a customer accesses tracking information.

.....

7. State the projected delivery standards.

Category of postal article	Delivery standard (days)	Performance target (percentage)
Articles posted for delivery within the same city or town		
Articles posted in Kenya for delivery elsewhere in Kenya		
Articles received from outside Kenya for delivery in Kenya		
Articles posted in Kenya for delivery outside Kenya		

8. Describe the premises and the measures for the security and storage of postal articles, including access control, surveillance, recording and the handling of valuable or sensitive articles.

.....

D. DECLARATION

I declare that—

- (a) the information given in this Form and in the documents accompanying it is true, complete and correct;
- (b) the particulars of the shareholding, directorship and beneficial ownership of the applicant given in this Form are true, complete and correct;
- (c) I am duly authorised to make this application on behalf of the applicant; and
- (d) I understand that it is an offence to give false or misleading information to the Authority.

Name of signatory

Designation

Signature

Date

Capacity in which this Form is executed (tick as applicable)—

- ☐ Natural person
- ☐ Director or authorised officer of a company (affix common seal or company stamp where applicable)
- ☐ Partner, on behalf of a partnership
- ☐ Accounting officer or chief executive officer of a public entity
- ☐ Authorised officer of a society, co-operative society or other body (attach the resolution authorising the application)
- ☐ Attorney acting under a power of attorney (attach the power of attorney)

FORM GL 3
APPLICATION FOR A TELECOMMUNICATIONS NETWORK, SERVICE OR
EQUIPMENT LICENCE

(r. 10(2)(b))

This Form shall be accompanied by Form GL 1 and by the application fee prescribed in the Second Schedule.

Where the space provided is insufficient, the information may be given in an annexure to this Form, and each annexure shall be numbered, signed and referenced to the relevant item of this Form.

A. LICENCE APPLIED FOR

1. Tick the category applied for (one Form per category)—

Network and facilities licences—

- ☐ Network Facilities Provider — Tier 1 (NFP-T1) —
- ☐ Network Facilities Provider — Tier 2 (NFP-T2) —
- ☐ Network Facilities Provider — Tier 3 (NFP-T3) —
- ☐ Micro Network and Service Provider (MNSP) —
- ☐ Private VSAT Operator (PVSAT) —
- ☐ Community Network and Services Provider (CNSP) —

International infrastructure and service licences—

- ☐ Landing Rights Authorisation (LRA) —
- ☐ International Gateway Systems and Services (IGSS) —

Service and equipment licences—

- ☐ Applications Service Provider (ASP) —
- ☐ Content Service Provider (CSP) —
- ☐ .ke Sub-domain Name Registrar Service Provider —
- ☐ Communications Equipment Distributor (CED) — category D5
- ☐ Communications Equipment Contractor (CEC) — category D6
- ☐ Business Process Outsourcing (BPO) — category D7
- ☐ Communications Equipment Vendor (CEV) — category D8
- ☐ Public Communications Access Centre (PCAC) — category D9

Technical personnel licences

- ☐ Telecommunications Engineering Personnel — category E1
- ☐ Telecommunications Systems Professional — category E2

2. Where the Third Schedule provides for an optional twenty-five year term for the category applied for, indicate the term applied for— ☐ Fifteen years ☐ Twenty-five years

3. Geographic scope applied for

B. NETWORK AND FACILITIES LICENCES (COMPLETE WHERE CATEGORY A1 TO A4, B1, B2, C1 OR C2 IS APPLIED FOR)

4. State the proposed technology platform (mobile, fibre optic, fixed wireless, satellite, mixed or other) and describe the infrastructure architecture.

.....

5. Attach a network roll-out plan covering five years and setting out, for each year, the milestone, the counties or areas to be covered, the population target, the estimated capital expenditure and the quality of service to be achieved.

6. State the location of the core network, the address and operating hours of the network operations centre, the location of any data centre and the proposed interconnection arrangements with other licensees.

.....

7. State the frequency bands required, the type of spectrum assignment sought and the spectrum currently held by the applicant, and indicate whether a separate application has been made in Form GL 6.

.....

8. Describe the wholesale access to be offered to other licensees.

.....

9. State the projected capital and operating expenditure and the projected annual gross turnover for each of the first three years of operation, and the sources of funding.

.....

10. Where category B2 is applied for, state the name of the community or organisation, the community served, the governance structure, the technology to be used, the number of households or community members to be connected and the sources of funding, and confirm that the applicant is a non-profit entity owned and controlled by the community served.

.....

11. Where category B1 is applied for, state the name and country of the foreign hub operator, whether the foreign hub operator uses the services of a satellite operator holding a Landing Rights Authorisation, the number of terminals to be operated and the purpose of the connectivity, and attach a register of the terminals showing the terminal identifier and the installation site of each terminal.

.....

12. Where category C1 is applied for, state the name of each submarine cable system to be landed, the number of cable systems, the proposed location of each landing station in Kenya, whether a cable consortium agreement has been executed, the proposed activation date and the total system capacity, or, in the case of a satellite system, the name of the satellite operator, the frequency bands and signal parameters, the orbital position and type, and the proposed location of the earth station in Kenya.

.....

13. Where category C2 is applied for, state the location of each satellite earth station, submarine cable landing station, submarine line terminal equipment facility, cross-connect facility and network operations centre in Kenya, the proposed date on which the network operations centre becomes operational, the international destinations to be served and whether international wholesale capacity will be offered to other licensees.

.....

C. SERVICE AND EQUIPMENT LICENCES (COMPLETE WHERE CATEGORY D1, D2, D4, D5, D6, D7, D8 OR D9 IS APPLIED FOR)

14. Describe the services to be provided, the service architecture in relation to the networks of other licensees, the target market, the intended geographic coverage, the projected number of customers and the projected annual gross turnover for each of the first three years of operation, and the sources of funding.

.....

15. Where category D1 is applied for, state the service types to be offered, the network facilities provider on whose network the services will be offered and the numbering resources required.

.....

16. Where category D2 is applied for, state the categories of content to be distributed and the delivery mechanism to be used.

.....

17. Where category D5 is applied for, state the types of equipment to be imported or distributed, the principal manufacturers or suppliers, the estimated annual import volume, the address of the storage facility in Kenya, the after-sales support capacity and the measures in place against counterfeit equipment.

.....

18. Where category D6 is applied for, state the type of contract works to be undertaken and the principal equipment suppliers.

.....

19. Where category D7 is applied for, state the services to be provided, the clients to be served, the projected staff numbers for each of the first three years of operation and the address of the premises in Kenya.

.....

20. Where category D8 is applied for, state the types of communications equipment to be vended and the address of each premises from which the equipment is to be vended.

.....

21. Where category D9 is applied for, state the address of each public communications access centre and the communications services to be made available to the public at each centre.

.....

D. TECHNICAL PERSONNEL LICENCES (COMPLETE WHERE CATEGORY E1 OR E2 IS APPLIED FOR)

22. State the class of licence and the scope of works applied for.

.....

23. State the full name, identification or passport number and nationality of the applicant, and the name and address of the current employer, if any.

.....

24. Attach certified copies of the academic and professional certificates of the applicant.

25. State the work experience of the applicant.

Employer or client	Nature of work	Period (from — to)	Reference contact

D. DECLARATION

I declare that—

- (a) the information given in this Form and in the documents accompanying it is true, complete and correct;
- (b) the particulars of the shareholding, directorship and beneficial ownership of the applicant given in this Form are true, complete and correct;
- (c) I am duly authorised to make this application on behalf of the applicant; and
- (d) I understand that it is an offence to give false or misleading information to the Authority.

Name of signatory

Designation

Signature

Date

Capacity in which this Form is executed (tick as applicable)—

- ☐ Natural person
- ☐ Director or authorised officer of a company (affix common seal or company stamp where applicable)
- ☐ Partner, on behalf of a partnership
- ☐ Accounting officer or chief executive officer of a public entity
- ☐ Authorised officer of a society, co-operative society or other body (attach the resolution authorising the application)
- ☐ Attorney acting under a power of attorney (attach the power of attorney)

FORM GL 4
APPLICATION FOR A BROADCASTING LICENCE
(r. 10(2)(c))

This Form shall be accompanied by Form GL 1 and by the application fee prescribed in the Second Schedule.

Where the space provided is insufficient, the information may be given in an annexure to this Form, and each annexure shall be numbered, signed and referenced to the relevant item of this Form.

A. LICENCE APPLIED FOR

1. Tick the category applied for (one Form per category)—

- ☐ Broadcast Signal Distributor — Common Carrier — category G1
- ☐ Broadcast Signal Distributor — Self-Provisioning — category G2
- ☐ Commercial Free-to-Air Television — category G3
- ☐ Commercial Free-to-Air Radio — category G4
- ☐ Public Free-to-Air Television — category G5
- ☐ Public Free-to-Air Radio — category G6
- ☐ Community Free-to-Air Television — category G7
- ☐ Community Free-to-Air Radio — category G8
- ☐ Subscription Broadcasting Service — category G9
- ☐ Subscription Management Service — category G10
- ☐ Landing Rights (Broadcasting) — category G11

2. Proposed coverage area

3. Proposed station identity

4. Attach the business name registration certificate or trade mark certificate for the proposed station identity.

B. BROADCAST SIGNAL DISTRIBUTION (COMPLETE WHERE CATEGORY G1 OR G2 IS APPLIED FOR)

5. Attach a network roll-out plan covering five years and setting out, for each year, the milestone, the counties or areas to be covered, the population target, the estimated capital expenditure and the quality of service to be achieved.

6. State the frequency bands required, the type of spectrum assignment sought and the spectrum currently held by the applicant, and indicate whether a separate application has been made in Form GL 6.

.....

7. Describe the distribution network, the system architecture and configuration, and state the address of the network operations centre in Kenya.

.....

8. Describe the commitment of the applicant to universal access to signal distribution.

.....

9. State the projected capital and operating expenditure and the projected annual gross turnover for each of the first three years of operation, and the sources of funding.

.....

C. BROADCASTING SERVICES (COMPLETE WHERE CATEGORY G3 TO G11 IS APPLIED FOR)

10. Describe the services to be provided and, as applicable, the programme line-up or the programme bouquets to be offered.

.....

11. Describe the proposed system configuration and attach a block diagram of the technical architecture.

.....

12. State the target market, the projected number of subscribers or customers and the projected annual gross turnover for each of the first three years of operation, the revenue streams and the sources of funding.

.....

13. Where category G9 or G10 is applied for, describe the subscriber management and billing arrangements.

.....

14. Where category G7 or G8 is applied for, describe the community served and the manner in which the applicant is owned and controlled by that community, and attach the resolution of the general meeting of the applicant authorising the application.

.....

15. Describe the measures to be taken to ensure the quality of the service and the protection of consumers.

.....

D. DECLARATION

I declare that—

- (a) the information given in this Form and in the documents accompanying it is true, complete and correct;
- (b) the particulars of the shareholding, directorship and beneficial ownership of the applicant given in this Form are true, complete and correct;
- (c) I am duly authorised to make this application on behalf of the applicant; and
- (d) I understand that it is an offence to give false or misleading information to the Authority.

Name of signatory

Designation

Signature

Date

Capacity in which this Form is executed (tick as applicable)—

- ☐ Natural person
- ☐ Director or authorised officer of a company (affix common seal or company stamp where applicable)
- ☐ Partner, on behalf of a partnership
- ☐ Accounting officer or chief executive officer of a public entity

- ☐ Authorised officer of a society, co-operative society or other body (attach the resolution authorising the application)
- ☐ Attorney acting under a power of attorney (attach the power of attorney)

FORM GL 5
APPLICATION FOR AN ELECTRONIC CERTIFICATION LICENCE
(r. 10(2)(d))

This Form shall be accompanied by Form GL 1 and by the application fee prescribed in the Second Schedule.

Where the space provided is insufficient, the information may be given in an annexure to this Form, and each annexure shall be numbered, signed and referenced to the relevant item of this Form.

A. LICENCE APPLIED FOR

- ☐ Electronic Certification Service Provider (E-CSP) — category D3

B. SERVICE DESCRIPTION

1. Describe the electronic certification services to be provided, the classes of certificate to be issued and the target market.

.....

2. Describe the system architecture, the location of the certification infrastructure and the security measures to be applied to the certification infrastructure.

.....

3. State the projected number of customers and the projected annual gross turnover for each of the first three years of operation, and the sources of funding.

.....

C. DOCUMENTS ACCOMPANYING THIS FORM

- ☐ Certification Practice Statement — mandatory
- ☐ Certificate Policy Statement — mandatory
- ☐ Evidence of the technical competence of the personnel responsible for the certification infrastructure — mandatory

D. DECLARATION

I declare that—

- (a) the information given in this Form and in the documents accompanying it is true, complete and correct;
- (b) the particulars of the shareholding, directorship and beneficial ownership of the applicant given in this Form are true, complete and correct;
- (c) I am duly authorised to make this application on behalf of the applicant; and
- (d) I understand that it is an offence to give false or misleading information to the Authority.

Name of signatory

Designation

Signature

Date

Capacity in which this Form is executed (tick as applicable)—

- ☐ Natural person
- ☐ Director or authorised officer of a company (affix common seal or company stamp where applicable)
- ☐ Partner, on behalf of a partnership
- ☐ Accounting officer or chief executive officer of a public entity
- ☐ Authorised officer of a society, co-operative society or other body (attach the resolution authorising the application)
- ☐ Attorney acting under a power of attorney (attach the power of attorney)

FORM GL 6
APPLICATION FOR A SPECTRUM LICENCE, RADIO STATION LICENCE OR
FREQUENCY ASSIGNMENT

(r. 10(2)(e))

This Form shall be accompanied by Form GL 1 and by the application fee prescribed in the Second Schedule.

Where the space provided is insufficient, the information may be given in an annexure to this Form, and each annexure shall be numbered, signed and referenced to the relevant item of this Form.

A. AUTHORISATION APPLIED FOR

1. Tick the category applied for (one Form per category)—

- ☐ Amateur radio station licence — category H1
- ☐ Aeronautical station licence — category H2
- ☐ Aircraft station licence — category H3
- ☐ Coast station licence — category H4
- ☐ Ship station licence — category H5
- ☐ Fixed station operating in the mobile service — category H6
- ☐ Mobile station licence — category H7
- ☐ Portable station licence — category H8
- ☐ Citizen band radio authorisation — category H9
- ☐ Alarm system authorisation — category H10
- ☐ Fixed satellite earth station licence — category H11
- ☐ Sound broadcasting station frequency assignment — category H12
- ☐ Television broadcasting station frequency assignment — category H13
- ☐ Terrestrial fixed link frequency assignment — category H14
- ☐ Fixed wireless access system frequency assignment — category H15
- ☐ Trunked radio network frequency assignment — category H16
- ☐ Mobile wireless access system frequency assignment — category H17
- ☐ Wireless access system (shared, non-protected) authorisation — category H18

The symbols denoting the class of the radio station and the nature of the service need not be stated by the applicant. They are assigned by the Authority on the grant of the licence or the frequency assignment, in accordance with regulation 10(6) and the Fifth Schedule.

B. TECHNICAL PARTICULARS

2. State the technical particulars of each radio station or frequency assignment applied for.

Site name and location (including geographical co-ordinates)	Frequency or frequency band applied for	Bandwidth	Class of emission	Transmitter power and effective radiated power	Antenna type, height and polarisation

Site name and location (including geographical co-ordinates)	Frequency or frequency band applied for	Bandwidth	Class of emission	Transmitter power and effective radiated power	Antenna type, height and polarisation

3. State the make, model and type approval reference of the radio equipment to be used.

.....

4. State the purpose for which the frequency is required and the area to be served.

.....

5. Where the applicant holds a licence in respect of a service for which the frequency is required, state the category and the reference number of that licence.

.....

6. Where category H1 is applied for, state the class of amateur licence applied for and attach evidence of the qualification of the applicant.

.....

7. Where category H3 or H5 is applied for, state the registration marks of the aircraft or the name, official number and call sign of the ship, as applicable.

.....

D. DECLARATION

I declare that—

- (a) the information given in this Form and in the documents accompanying it is true, complete and correct;
- (b) the particulars of the shareholding, directorship and beneficial ownership of the applicant given in this Form are true, complete and correct;
- (c) I am duly authorised to make this application on behalf of the applicant; and
- (d) I understand that it is an offence to give false or misleading information to the Authority.

Name of signatory

Designation

Signature

Date

Capacity in which this Form is executed (tick as applicable)—

- ☐ Natural person
- ☐ Director or authorised officer of a company (affix common seal or company stamp where applicable)
- ☐ Partner, on behalf of a partnership
- ☐ Accounting officer or chief executive officer of a public entity

- ☐ Authorised officer of a society, co-operative society or other body (attach the resolution authorising the application)
- ☐ Attorney acting under a power of attorney (attach the power of attorney)

FORM GL 7
APPLICATION FOR MODIFICATION OF A LICENCE
(r. 23(1))

This Form shall be accompanied by the modification fee prescribed in the Second Schedule.

Where the space provided is insufficient, the information may be given in an annexure to this Form, and each annexure shall be numbered, signed and referenced to the relevant item of this Form.

1. Name of the licensee
2. Licence reference number
3. Category of the licence (Second Schedule)
4. Date of issue and date of expiry of the licence

A. MODIFICATION SOUGHT

5. State each condition of the licence which the licensee seeks to modify and the modification sought.

Condition of the licence	Existing wording	Modification sought

6. State the reasons for the modification sought.

.....

7. State the effect of the modification sought on consumers, on the roll-out obligations of the licensee and on the use of radio frequency spectrum, if any.

.....

D. DECLARATION

I declare that—

- (a) the information given in this Form and in the documents accompanying it is true, complete and correct;
- (b) the particulars of the shareholding, directorship and beneficial ownership of the applicant given in this Form are true, complete and correct;
- (c) I am duly authorised to make this application on behalf of the applicant; and
- (d) I understand that it is an offence to give false or misleading information to the Authority.

Name of signatory

Designation

Signature

Date

Capacity in which this Form is executed (tick as applicable)—

☐ Natural person

- ☐ Director or authorised officer of a company (affix common seal or company stamp where applicable)
- ☐ Partner, on behalf of a partnership
- ☐ Accounting officer or chief executive officer of a public entity
- ☐ Authorised officer of a society, co-operative society or other body (attach the resolution authorising the application)
- ☐ Attorney acting under a power of attorney (attach the power of attorney)

FORM GL 8
APPLICATION FOR RENEWAL OF A LICENCE
(r. 25(1))

This Form shall be accompanied by Form GL 1 and by the licence fee prescribed in the Second Schedule for the grant of a licence in the relevant category.

Where the space provided is insufficient, the information may be given in an annexure to this Form, and each annexure shall be numbered, signed and referenced to the relevant item of this Form.

1. Name of the licensee
2. Licence reference number
3. Category of the licence (Second Schedule)
4. Date of expiry of the licence

A. COMPLIANCE

5. State whether the licensee has, during the term of the licence—

- (a) paid all fees prescribed under the Second Schedule when due ☐ Yes ☐ No
- (b) met the roll-out and quality of service obligations specified in the licence ☐ Yes ☐ No
- (c) submitted all reports required under the Act, these Regulations and the licence ☐ Yes ☐ No
- (d) been the subject of enforcement action by the Authority ☐ Yes ☐ No

Where the answer to any of the above is “No” or, in the case of paragraph (d), “Yes”, give particulars—

.....

6. State any change in the ownership, control, directorship or beneficial ownership of the licensee since the licence was granted or last renewed, and the reference of the approval granted under regulation 19, if any.

.....

7. Where the Third Schedule provides for an optional twenty-five year term for the category, indicate the term applied for— ☐ Fifteen years ☐ Twenty-five years

B. DOCUMENTS ACCOMPANYING THIS FORM

- ☐ Audited financial statements for the three financial years preceding the application — mandatory
- ☐ Valid tax compliance certificate — mandatory
- ☐ Updated evidence of shareholding and directorship — mandatory for bodies corporate

D. DECLARATION

I declare that—

- (a) the information given in this Form and in the documents accompanying it is true, complete and correct;
- (b) the particulars of the shareholding, directorship and beneficial ownership of the applicant given in this Form are true, complete and correct;
- (c) I am duly authorised to make this application on behalf of the applicant; and
- (d) I understand that it is an offence to give false or misleading information to the Authority.

Name of signatory

Designation

Signature

Date

Capacity in which this Form is executed (tick as applicable)—

- ☐ Natural person
- ☐ Director or authorised officer of a company (affix common seal or company stamp where applicable)
- ☐ Partner, on behalf of a partnership
- ☐ Accounting officer or chief executive officer of a public entity
- ☐ Authorised officer of a society, co-operative society or other body (attach the resolution authorising the application)
- ☐ Attorney acting under a power of attorney (attach the power of attorney)

FORM GL 9
APPLICATION FOR APPROVAL OF A CHANGE IN OWNERSHIP OR CONTROL
(r. 19(1))

This Form shall be accompanied by Form GL 1 and shall be lodged not less than sixty days before the intended date of implementation of the proposed change.

Where the space provided is insufficient, the information may be given in an annexure to this Form, and each annexure shall be numbered, signed and referenced to the relevant item of this Form.

1. Name of the licensee
2. Licence reference number and category

A. THE PROPOSED CHANGE

3. Tick the ground on which approval is sought—

- ☐ Acquisition by a person of shares resulting in that person holding fifteen per cent or more of the issued share capital — regulation 19(1)(a)
- ☐ Acquisition by an existing shareholder of an additional five per cent or more of the issued share capital — regulation 19(1)(b)
- ☐ A transaction or arrangement resulting, directly or indirectly, in a change in control — regulation 19(1)(c)

4. Describe the proposed transaction or arrangement, including its structure and the steps by which it is to be implemented.

.....

5. Intended date of implementation

6. Was the acquisition effected, or is it to be effected, through a securities exchange licensed under the Capital Markets Act? ☐ Yes ☐ No

If yes, state the securities exchange and indicate whether the acquisition results, directly or indirectly, in a change in control of the licensee.

.....

B. OWNERSHIP AND CONTROL BEFORE AND AFTER THE PROPOSED CHANGE

Full name of shareholder or controller	Nationality or place of incorporation	Percentage held before the change	Percentage held after the change	Whether a beneficial owner

7. State the particulars of every person who will acquire control of the licensee as a result of the proposed change, and describe the manner in which control will be exercised.

.....

8. State the effect of the proposed change on the ability of the licensee to comply with its licence conditions and its regulatory obligations.

.....
9. State the effect of the proposed change on consumers and on competition in the communications market, and state whether the transaction has been or is to be notified to the Competition Authority of Kenya.
.....

C. DOCUMENTS ACCOMPANYING THIS FORM

- ☐ Resolution of the board of directors of the licensee approving the proposed change — mandatory
- ☐ Executed or draft transaction documents — mandatory
- ☐ Particulars of the incoming shareholders, controllers and beneficial owners — mandatory
- ☐ Determination or exemption issued by the Competition Authority of Kenya — conditional: where the transaction is notifiable under the Competition Act

D. DECLARATION

I declare that—

- (a) the information given in this Form and in the documents accompanying it is true, complete and correct;
- (b) the particulars of the shareholding, directorship and beneficial ownership of the applicant given in this Form are true, complete and correct;
- (c) I am duly authorised to make this application on behalf of the applicant; and
- (d) I understand that it is an offence to give false or misleading information to the Authority.

Name of signatory

Designation

Signature

Date

Capacity in which this Form is executed (tick as applicable)—

- ☐ Natural person
- ☐ Director or authorised officer of a company (affix common seal or company stamp where applicable)
- ☐ Partner, on behalf of a partnership
- ☐ Accounting officer or chief executive officer of a public entity
- ☐ Authorised officer of a society, co-operative society or other body (attach the resolution authorising the application)
- ☐ Attorney acting under a power of attorney (attach the power of attorney)

FORM GL 10

APPLICATION FOR APPROVAL OF THE TRANSFER OR ASSIGNMENT OF A LICENCE

(r. 21(2))

This Form shall be completed and executed jointly by the transferor and the transferee, shall be accompanied by Form GL 1 in respect of the transferee, and shall be accompanied by the transfer fee prescribed in the Second Schedule.

Where the space provided is insufficient, the information may be given in an annexure to this Form, and each annexure shall be numbered, signed and referenced to the relevant item of this Form.

A. PARTICULARS OF THE LICENCE

1. Name of the transferor
2. Licence reference number and category
3. Date of issue and date of expiry of the licence
4. Unexpired residue of the term of the licence

B. PARTICULARS OF THE TRANSFeree

5. Name of the transferee
 6. Does the transferee hold a licence in the category to which the licence relates? ☐ Yes ☐ No
- If yes, state the licence reference number and category—
.....

If no, the application will be processed in accordance with the requirements applicable to an application for the grant of a new licence in that category, and Form GL 2, GL 3, GL 4, GL 5 or GL 6, as applicable, shall accompany this Form.

C. THE PROPOSED TRANSFER

7. Describe the proposed transfer or assignment and state the reasons for it.
.....
8. Proposed effective date of the transfer
9. State the outstanding obligations and liabilities of the transferor under the licence, including any fees due to the Authority, and state how they are to be discharged.
.....
10. State the effect of the proposed transfer on consumers and on competition in the communications market.
.....

D. JOINT CONSUMER CONTINUITY REPORT

11. The transferor and the transferee shall attach a joint report setting out—
 - (a) the measures proposed to ensure the continuity of service to the consumers of the transferor;
 - (b) the manner in which outstanding consumer complaints, credits, deposits and contractual entitlements are to be dealt with;
 - (c) the manner and timing of the notification of consumers of the proposed transfer; and
 - (d) the timelines for the implementation of the measures in paragraphs (a) to (c).

E. DOCUMENTS ACCOMPANYING THIS FORM

- ☐ Resolution of the board of directors of the transferor approving the transfer — mandatory
- ☐ Written acceptance by the transferee of the licence and of its conditions — mandatory
- ☐ Valid tax compliance certificate of the transferee — mandatory
- ☐ Determination or exemption issued by the Competition Authority of Kenya — conditional: where the transaction is notifiable under the Competition Act
- ☐ Written confirmation by the Authority that it has no objection to the transfer of any related frequency assignment — conditional: where a frequency assignment is held in connection with the licence

EXECUTION BY THE TRANSFEROR

D. DECLARATION

I declare that—

- (a) the information given in this Form and in the documents accompanying it is true, complete and correct;
- (b) the particulars of the shareholding, directorship and beneficial ownership of the applicant given in this Form are true, complete and correct;
- (c) I am duly authorised to make this application on behalf of the applicant; and
- (d) I understand that it is an offence to give false or misleading information to the Authority.

Name of signatory

Designation

Signature

Date

Capacity in which this Form is executed (tick as applicable)—

- ☐ Natural person
- ☐ Director or authorised officer of a company (affix common seal or company stamp where applicable)
- ☐ Partner, on behalf of a partnership
- ☐ Accounting officer or chief executive officer of a public entity
- ☐ Authorised officer of a society, co-operative society or other body (attach the resolution authorising the application)
- ☐ Attorney acting under a power of attorney (attach the power of attorney)

EXECUTION BY THE TRANSFEE

I declare that the information given in this Form and in the documents accompanying it is true, complete and correct, that I am duly authorised to make this application on behalf of the transferee, that the transferee accepts the licence and the conditions to which it is subject, and that I understand that it is an offence to give false or misleading information to the Authority.

Name of signatory

Designation

Signature

Date

FORM GL 11

APPLICATION FOR APPROVAL OF THE SURRENDER OF A LICENCE OR THE DISCONTINUATION OF A LICENSED SERVICE

(r. 26(1))

This Form shall be lodged not less than six months before the intended date of surrender or discontinuation.

Where the space provided is insufficient, the information may be given in an annexure to this Form, and each annexure shall be numbered, signed and referenced to the relevant item of this Form.

1. Name of the licensee

2. Licence reference number and category

3. The application is for— ☐ the surrender of the licence in whole ☐ the discontinuation of a licensed service in part

Where the application is in part, specify the service to be discontinued—

.....

4. Intended date of surrender or discontinuation

5. State the reasons for the surrender or discontinuation.

.....

6. Number of customers affected

A. TRANSITION PLAN

7. The licensee shall attach a transition plan setting out—

- (a) the measures proposed to ensure the continuity of service to consumers, including, where applicable, the licensee to whom customers are to be transferred and the terms of the transfer;
- (b) the manner in which outstanding consumer complaints, credits, deposits and contractual entitlements are to be dealt with;
- (c) the manner in which the outstanding obligations of the licensee to the Authority are to be discharged;
- (d) the arrangements for the return or reassignment of any numbering resources and any radio frequency spectrum held by the licensee; and
- (e) the timelines for the implementation of the measures in paragraphs (a) to (d).

B. NOTIFICATION OF CUSTOMERS

8. State the date on which notice was or is to be given to customers and attach a copy of the notice and evidence of its publication in at least two newspapers of nationwide circulation.

.....

9. Where the licensee has been unable to reach an agreement with another licensee on the transfer of customers, state the particulars of the licensees approached and the outcome of the negotiations.

.....

D. DECLARATION

I declare that—

- (a) the information given in this Form and in the documents accompanying it is true, complete and correct;

(b) the particulars of the shareholding, directorship and beneficial ownership of the applicant given in this Form are true, complete and correct;

(c) I am duly authorised to make this application on behalf of the applicant; and

(d) I understand that it is an offence to give false or misleading information to the Authority.

Name of signatory

Designation

Signature

Date

Capacity in which this Form is executed (tick as applicable)—

- ☐ Natural person
- ☐ Director or authorised officer of a company (affix common seal or company stamp where applicable)
- ☐ Partner, on behalf of a partnership
- ☐ Accounting officer or chief executive officer of a public entity
- ☐ Authorised officer of a society, co-operative society or other body (attach the resolution authorising the application)
- ☐ Attorney acting under a power of attorney (attach the power of attorney)

FIFTH SCHEDULE

RADIO STATION SYMBOLS AND FREQUENCY MATTERS

This Schedule provides for the symbols denoting the class of a radio station and the nature of a radiocommunication service, and for related frequency matters.

PART A—SYMBOLS DENOTING THE CLASS OF STATION AND THE NATURE OF SERVICE

1. On the grant of a spectrum licence, a radio station licence or a frequency assignment, the Authority shall, in accordance with regulation 10(6), assign to the radio station—

- (a) the symbol denoting the class of the station; and
- (b) the symbol denoting the nature of the service,

in accordance with the designators set out in the Radio Regulations of the International Telecommunication Union.

2. The symbols assigned under paragraph 1 shall be stated in the licence or the frequency assignment, and the Authority shall maintain and publish on its website a record of the designators in use.

PART B—CORRESPONDENCE BETWEEN AUTHORISATIONS AND PRESCRIBED FORMS

Category	Licence or authorisation	Prescribed Form
H1 to H18	Spectrum licences, radio station licences and frequency assignments	Form GL 6, together with Form GL 1
H1 to H18	Renewal of a spectrum licence, radio station licence or frequency assignment	Form GL 8
H1 to H18	Modification of a spectrum licence, radio station licence or frequency assignment	Form GL 7
H1 to H18	Surrender of a spectrum licence, radio station licence or frequency assignment	Form GL 11

PART C—TECHNICAL ANNOTATIONS

1. A reference in this Schedule and in the Second Schedule to MF, HF, VHF and UHF is a reference to the frequency bands designated as such in the Radio Regulations of the International Telecommunication Union.

2. A citizen band radio authorisation under category H9 relates to the frequency band from 26 925 kHz to 27 403 kHz.

3. A reference to Zone A and Zone B is a reference to the frequency zones referred to in paragraph 9 of Division 2 of Part D of the Second Schedule.

4. The following services, which appeared in the fee schedules in force before the commencement of these Regulations, are not licensed under these Regulations—maritime mobile service identity, family radio, private paging service and public paging service.

Made on the, 2026.

WILLIAM KABOGO GITAU,
Cabinet Secretary for Information, Communications and the Digital Economy.