



LEGAL ALERT

THE NEW TELECOMMUNICATION AND RESOURCE LICENSING REGULATIONS

On 30 June, Decree no. 26/2017, which establishes the **Regulation of Licensing of Telecommunications and Scarce Resources** (“Regulation”), was published. This Regulation shall enter into force on 1 September.

Under this new Regulation, applicable to operators exploiting telecommunications networks and services and scarce resources for public and private use, the provision of telecommunications services and the establishment, operation and management of telecommunications networks are subject to licensing.

In this context, the Regulation establishes the procedures for the attribution of the telecommunications licenses, creating two classifications for such licenses: (a) unified license; and (b) license by class, those classes being class A, B or C.

As regards to scarce resources, the use of the radio-frequency spectrum of radio frequencies and the establishment of radio communication stations are subject to the obtainment of a license for such purpose. The use of number resources deemed as scarce is also subject to the obtainment of a license.

Parallel to the licensing obligations, the Regulation also establishes registration obligations, namely in what concerns radio communications equipment.

The licensing and registration processes must be submitted before the Regulatory Authority, which is the National Communications Institute of Mozambique (*Instituto Nacional das Comunicações de Moçambique*).

Finally, it should also be noted that the Regulation establishes a heavy penalty system for cases of non-compliance with its provisions, providing for the application of fines ranging from MZN 500,000 to 10,000,000, up to twice as much in cases of recidivism.

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