

# MINISTERIAL ORDER N° 2/DC/04 OF 07/06/2004 ON INSTRUCTIONS FOR THE PUBLICATION IN THE OFFICIAL GAZETTE OF MODIFICATIONS MADE TO TELECOMMUNICATIONS LICENSES

## The Minister of Infrastructure,

Given the Constitution of the Republic of Rwanda of 4 June 2003, as amended to date, especially in its Articles 120 paragraph one and 121 paragraph one-2°;

Given Law n° 44/2001 of 30 November 2001 governing Telecommunications, especially in its Article 9 paragraph 3 ;

Given Law n° 39/2001 of 13 September 2001 establishing an Agency for the Regulation of certain public utilities, especially in its Article one ;

After consideration and approval by the Cabinet, meeting in its session of 28 January 2004;

## ORDERS :

### CHAPTER ONE : GENERAL PROVISIONS

#### Article one : Definitions

In this Order, the terms referred to below shall have the following meanings :

|                                     |                    |   |
|-------------------------------------|--------------------|---|
| Board                               |                    | The Board of Directors of the Rwanda Utilities Regulatory Agency established by Law n° 39/2001  |
| Individual License                  | Telecommunications | Any license : <ul style="list-style-type: none"><li>- granted by an express and individual decision of the Minister or, in the event of delegation, by an express, individual decision of the Board, pursuant to Article 5 of Law n° 44/2001 ; and</li><li>- entitling the beneficiary to undertake certain telecommunications activities within, to and/or from the territory of the Republic in accordance with standard and, where applicable, supplementary particular terms.</li></ul> |
| Standard Telecommunications License |                    | Any license : <ul style="list-style-type: none"><li>- granted by the Board pursuant to Article 5 Law n° 44/2001 without an express or individual decision ; and</li><li>- containing standard terms governing a certain category of telecommunications activities taking place within, to and/or from the Republic.</li></ul>   |
| Law n° 39/2001                      |                    | Law n° 39/2001 dated 13 September 2001 establishing an Agency for regulation of certain public utilities  |
| Law n° 44/2001                      |                    | Law n° 44/2001 of 30 November 2001 governing Telecommunications   |
| Minister                            |                    | Minister responsible for telecommunications   |
| Republic                            |                    | The Republic of Rwanda  |

In respect of other terms, and except where provided otherwise hereinafter, the definitions set forth in Law n°39/2001 and in Law n° 44/2001 shall, where applicable, apply to this Order.

#### Article 2 : Scope

In application of Article 9 of Law n° 44/2001, this Order sets forth the instructions for the publication in the Official Gazette of intended modifications to Standard Telecommunications Licenses and Individual Telecommunications Licenses.

## **CHAPTER II : MODIFICATION OF STANDARD TELECOMMUNICATIONS LICENSES**

### **Article 3 : Publication modalities**

The Board shall publish, in the Official Gazette, as soon as practicable after its drafting, an example of any category of Standard Telecommunications License modified, in full in its modified form, an explanatory note summarising the differences between the former and new versions of the Standard Telecommunications License in question.

### **Article 4 : Availability of modified license**

The Board shall make available, for examination during normal business hours by any interested party, copies of the modified version of the Standard Telecommunications License in question.

## **CHAPTER III : MODIFICATION OF INDIVIDUAL TELECOMMUNICATIONS LICENSES**

### **Article 5 : Publication modalities**

The Board shall publish in the Official Gazette, as soon as practicable after its drafting, any Individual Telecommunications License modified, in full in its modified form, an explanatory note summarising the differences between the former and modified versions of the Individual Telecommunications License in question.

### **Article 6 : Availability of modified license**

The Board shall make available, for examination during normal business hours by any interested party, copies of the modified version of the Individual Telecommunications License in question.

## **CHAPTER IV : MISCELLANEOUS PROVISIONS**

### **Article 7 : Previous and contrary provisions**

All prior provisions contrary to this Order are hereby repealed.

### **Article 8 : Entry into force**

This order shall come into force on the date of its publication in the Official Gazette of the Republic of Rwanda.

Kigali, on 07/06/2004

The Minister of Infrastructure  
**Dr NTAWUKULIRYAYO Jean Damascène**  
(sé)

**Seen and sealed with the Seal of the Republic :**

The Minister of Justice  
**MUKABAGWIZA Edda**  
(sé)