Kenya

Country Profile	
Regulator	Communications Authority of Kenya
Acronym	(CA)
Website	https://ca.go.ke/
Twitter	https://twitter.com/CA_Kenya
Contact	info@ca.go.ke
Ministry	Ministry of ICTs
Acronym	(MICT)
Website	http://www.ict.go.ke/
Twitter	https://twitter.com/MoICTKenya
Contact	info@information.go.ke

National Policy

The Kenya Information and Communications Act, 1998 (The Act) later revised in 2013, provided the framework for regulating the communications sector in Kenya. The Act was enacted to strengthen the Postal and Telecommunications Sector Policy Statement (the Policy Statement), which had been issued by the then Ministry of Transport and Communications in January 1997. The Government of Kenya revised the Policy Statement in 1999, and again in March 2006. The Communications Authority of Kenya (CA) is responsible for the development and implementation of policies and strategies concerning telecommunications services in Kenya. Kenya's first National broadband strategy (NBS) was envisaged for implementation between 2013 and 2017 to provide quality broadband for everyone. The strategy set minimum broadband speeds of 40Mbps for urban areas and 5Mbps for the rural areas by 2017. The infrastructure, connectivity and devices strategy included; Availing sufficient spectrum for Wireless Broadband Networks, Government-sponsored PPPs to fund infrastructure development, Use of Universal Service Fund to extend broadband network penetration, and to Enhance regulatory oversight concerning the quality of service.

Operator Licensing

As of 2019, there are no exemptions for non-profit organisations under the current licensing framework.

Technical and Administrative Requirements

As of 2017, Kenya has adopted a unified licensing framework.

	Initial Fee (Ksh)	**Annual Fee (Ksh) fixed fee or % of annual gross turnover, whichever is greater**
Network Facilities Provider		

	Initial Fee (Ksh)	**Annual Fee (Ksh) fixed fee or % of annual gross turnover, whichever is greater**
Tier 1- NFP This licence allows a licensee to deploy communication infrastructure, using any technology, countrywide with the main difference that it allows for a national spectrum reservation and allocation particularly for the mobile services.	15M (USD140K)	0.4% or 4M (USD37K)
Tier 2 - NFP This licence category also allows a licensee to deploy communication infrastructure countrywide, using any form of technology, only that spectrum allocation is regional and not national.	15M (USD140K)	0.4% or 800K (USD7.4K)
Tier 3 - NFP This licence allows a licensee to deploy communication infrastructure within a county using any form of technology except Satellite Communications because of its borderless nature. Spectrum is also allocated regionally.	200K (USD1800)	0.4% or 160K (USD1.5K)
International Network Facilities Provider (Includes MVNOs, Vehicle Tracking, ccTLDs)		
Submarine Cable Landing License	15M (USD140K)	0.4% or 4M (USD37K)
International Gateway License	15M (USD140K)	0.4% or 800K (USD7.4K)
Non-Infrastructure Based Service Providers		
Application Service Provider	100K (USD900)	0.4% or 80K (USD740)
Content Service Provider	100K (USD900)	0.4% or 80K (USD740)
Electronic Certification Service Provider	100K (USD900)	0.4% or 80K (USD740)
Terminal Equipment Providers		
Telecom Terminal Equipment Contractors	7500 (USD70)	3K (USD27)
Telecommunications Technical Personnel	1000 (9USD)	500 (USD5)
Private Very Small Aperture Terminal		
VSAT Operators Through Foreign Hub Operations	N/A	100K (USD915) per VSAT Terminal

More details can be found in the pdf document *Telecommunications Market Structure Under The Unified Licensing Framework 2017*[1)]

The licensing process commences with the submission of a duly completed application form[2)]

Below are details of the minimum requirements for acceptance of an application of each type of license and applicable fees:

Applicants for commercial licenses should meet the following minimum conditions:

- The entity should be registered in Kenya as a company, sole proprietor or partnership.
- Have a duly registered office and permanent premises in Kenya.
- Provide details of shareholders and directors.
- Issue at least 20% of its shares to Kenyans on or before the end of three years after receiving a license.

- Provide evidence of compliance with the tax requirement.

Requirements for ordinary vendor applicants are:

- A letter signed by company CEO, on company letter-head, asking for authorization to sell low power equipment.
- The letter must provide contact details such as physical and postal addresses, telephone numbers, emails, etc. for the company.
- Indicate the type and model of equipment to be sold.
- Attach company Certificate of Incorporation or registration certificate copy to the letter.
- Attach a copy of the company PIN Certificate.

Licensing Fees

License fees and license periods are determined based on the market segment to be serviced and include;

- Application fees,
- Initial operating fees
- Annual operating fees,
- Fees for spectrum access
- Annual spectrum fees.

Annual Licence fees are subject to a monthly interest of 2% which remains unpaid, 90 days after the due date.
https://ca.go.ke/wp-content/uploads/2018/04/Procedure-for-Licensing-Telecommunication-Services.pdf

Access to Spectrum

Technical and Administrative Requirements

Licensed

Access Networks

Operator	700 MHz	800 MHz	900 MHz	1800 MHz	2100 MHz	2300 MHz	2600 MHz	3500MHz
Airtel		2X10	2X10	2X10	2X10			
Airwaves Comms								2X7
Comtec Group								2X7
Faiba (Jamii)	2X10							
IGO Wireless								2X7
Liquid Telecom								2X28
Open Systems Tech.								2X7
PacketStream Data								2X7
Safaricom		2X10	2X17.5	2X20	2X10			

Operator	700 MHz	800 MHz	900 MHz	1800 MHz	2100 MHz	2300 MHz	2600 MHz	3500MHz
SimbaNET								2X7
Telkom Kenya		2X10	2X7.5	2X10	2X10			2X11
UUNet Comms								2X7
Yu			2X7					

PtP Networks

License-Exempt

Access Networks

Frequency	Power Limit (EIRP)	Power Spectral Density (mW / MHz)
2.4GHz		
2400 – 2483.5 MHz	100 mW	
5GHz		
5150-5250 MHz	200 mW	
5250-5350 MHz	200 mW	
5470-5725 MHz	1 W	Max mean EIRP density of 50 mW / MHz in any 1 MHz band
5725-5800 MHz	25 mW	

More complete documentation on the use of short range devices[3)]

Secondary Use

Access Networks

PtP Networks

Spectrum Fees / Costs

https://ca.go.ke/wp-content/uploads/2018/02/Frequency-Fee-Schedule-Effective-1st-July-2018-.pdf

Application

Annual

Auction

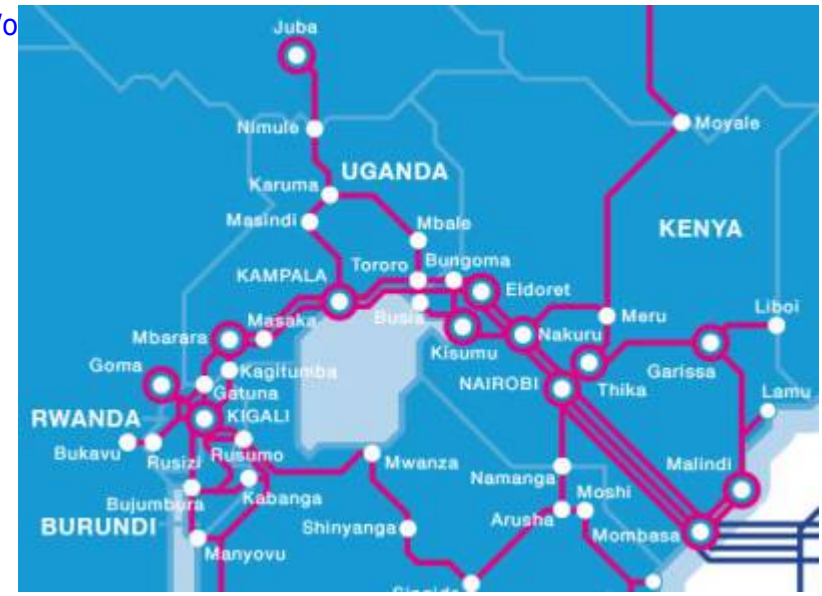
Backhaul

NOFBI Tranmission Network

http://icta.go.ke/nofbi-transmission-network/

Liquid Telecom Kenya

https://www.liquidtelecom.com/about-us/our_network



JTL

https://jtl.co.ke/

Bandwidth & Cloud Services Group

https://bcs-ea.com/

Kenya Power & Lighting Company (KPLC)

https://www.kplc.co.ke/content/item/35/kenya-power-fibre-optic-network

Gender

Women’s Empowerment in Kenya - Developing a Measure[4)]

This document presents the development and the first use of the inaugural measure of women's empowerment in Kenya – the Women's Empowerment Index (WEI). The study, developed by the

Kenya National Bureau of Statistics in partnership with the State Department for Gender, UN Women, and UNICEF, is “the first comprehensive and systematic measure” for women’s and girls’ empowerment in Kenya, according to a press release about the launch.

UN Women’s Women Count project

The Women Count project, which began in 2018, takes a three-pronged approach to improving gender statistics, by: creating an enabling environment, increasing data production, and improving data accessibility and use.

National Policy on Gender and Development[5)]

The National Policy on Gender and Development includes a section (4.12) on Information, Communication and Technology (ICT) that identifies the goal of harnessing ICT as a tool for broader strategies and programmes to create opportunities for empowerment of women and men and includes the following policy actions:

1. Collect and disseminate gender data on ICT access and use to inform policy and decision making;
2. Identify, promote and document good practices and lessons learned to bridge the gender divide in the use of ICT;
3. Promote inclusion of ICT and STEM education in mid-level tertiary institutions; and,
4. Promote the roll out of operational digital villages/ICT hubs and ‘biashara centres’ across the 47 counties to ensure access to ICT services by men and women.

National Gender and Equality Commission https://www.ngeckenya.org/

Universal Service

The Kenya Communications (Amendment) Act, 2009, provides for the establishment of a Universal Service Fund (USF), administered and managed by the Communications Authority of Kenya. The purpose of the Fund is to support widespread access to ICT services, promote capacity building and innovation in ICT services in the country.

The sources of the Fund include levies on licensees, appropriations from Government as well as grants and donations. The Fund, currently being put in place, is expected to finance national projects that have significant impact on the availability and accessibility of ICTs in rural, remote and poor urban areas.

https://ca.go.ke/industry/universal-access/universal-service-fund/

Cooperatives

The Role Of Cooperatives in Social and Economic Development of Kenya and Actions Required to Accelerate Growth and Development of the Sector in Africa (21 May 2019)
https://www.un.org/development/desa/dspd/wp-content/uploads/sites/22/2019/06/Otieno.pdf

10 Lessons from Kenya’s Remarkable Cooperatives (4 May 2015)
https://www.shareable.net/10-lessons-from-kenyas-remarkable-cooperatives/

Co-operatives play key roles in rural development (25 Aug 2010)
https://www.standardmedia.co.ke/the-standard/article/2000016712/co-operatives-play-key-roles-in-rural-development

CO-OPERATIVE SOCIETIES ACT (Rev 2012)
http://www.kenyalaw.org/kl/fileadmin/pdfdownloads/Acts/Co-operativeSocietiesActCap490.pdf

Resources / References

Coding examples

This could be used to frame specific questions that should be asked

<callout type="tip" icon="true">This could be for hints / tips / tricks on finding information, what to look for etc.</callout> <callout type="question" icon="true">A question</callout> <callout type="success" icon="true">A good practice example might look like this</callout> <callout type="danger" icon="true">A bad practice to be aware of might look like this</callout>

1)
Telecommunications Market Structure Under The Unified Licensing Framework 2017
https://ca.go.ke/wp-content/uploads/2018/03/New-Market-Structure-Under-The-Unified-Licensing-Framework-February-2017.pdf Accessed on 21 Aug 2020. Local copy.
2)
Telecommunication License Application Forms
https://ca.go.ke/industry/telecommunication/telecommunication-license-application-forms/
3)
Guidelines On The Use Of Radio Frequency Spectrum By Short Range Devices 8th July 2016
https://ca.go.ke/wp-content/uploads/2018/02/Guidelines-on-the-Use-of-Short-Range-Devices-Revised-8th-July-2016-1.pdf
Local Copy
4)
Women's Empowerment in Kenya - Developing a Measure
https://www.genderinkenya.org/wp-content/uploads/2020/08/WEI-REPORT-10.08.2020.pdf (
wei_report_10-08-2020_72dpi.pdf
Local Copy)
5)
Sessional Paper No. 02 of 2019 on NATIONAL POLICY ON GENDER AND DEVELOPMENT. October 2019.
http://psyg.go.ke/wp-content/uploads/2019/12/NATIONAL-POLICY-ON-GENDER-AND-DEVELOPMENT.pdf
Accessed on 26 Aug 2020. (
Local Copy
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