

GOVERNMENT NOTICE No. 136 published on 18/3/2022

THE ELECTRONIC AND POSTAL COMMUNICATIONS ACT,  
(CAP. 306)

REGULATIONS

*(Made under section 165)*

THE ELECTRONIC AND POSTAL COMMUNICATIONS (ONLINE CONTENT)  
(AMENDMENT) REGULATIONS, 2022

ARRANGEMENT OF REGULATIONS

<i>Regulation</i>	<i>Title</i>
1.	Citation.
2.	Amendment of regulation 2.
3.	Amendment of regulation 3.
4.	Amendment of regulation 4.
5.	Repeal and replacement of regulation 5.
6.	Repeal and replacement of regulation 6.
7.	Amendment of regulation 7.
8.	Amendment of regulation 9.
9.	Repeal and replacement of regulation 10.
10.	Repeal and replacement of regulation 12.
11.	Repeal of regulation 13.
12.	Repeal and replacement of regulation 18.
13.	Amendment of regulation 20.
14.	Repeal and replacement of First and Second Schedules.
15.	Amendment of Third Schedule.

THE ELECTRONIC AND POSTAL COMMUNICATIONS ACT,  
(CAP.306)

**REGULATIONS**

*(Made under section 165)*

THE ELECTRONIC AND POSTAL COMMUNICATIONS (ONLINE CONTENT)  
(AMENDMENT) REGULATIONS, 2022

- Citation  
GN No.  
538 of 2020
1. These Regulations may be cited as the Electronic and Postal Communications (Online Content) (Amendment) Regulations, 2022 and shall be read as one with the Electronic and Postal Communications (Online Content) Regulations, 2020, hereinafter referred to as the “principal Regulations”.
- Amendment of regulation 2
2. The principal Regulations are amended in regulation 2 by deleting the words “internet service providers” appearing between the words “providers” and “application”.
- Amendment of regulation 3
3. The principal Regulations are amended in regulation 3, by-
- (a) adding in its appropriate alphabetical order the following new definitions:
- ““online media services” means online content services provided for the purpose of news and current affairs in a manner similar to, or in a manner that resembles services providers licensed under the Act;
- “online content aggregator” means a content service provider who collects content from different sources and packs the content into baskets of channels for the purpose of being accessed by users

- for free or upon payment of a prescribed fee;”;
- (b) deleting the definitions of the terms “online content service” “mainstream media” and “weblog”, and substituting for them the following:  
““online content service” means internet content broadcasting or aggregation to the public through television, radio, blog, weblog, instant messaging tools, and social media and applications; and  
“mainstream media” means radio or television programs aired by licensed content service providers using traditional broadcasting networks; and  
“weblog” means a website containing online media services offered a combination of text, still or moving images, audio or links to other online media websites”.
- (c) deleting the definitions of the terms “internet café”, “online platform” and “news related content”.

Amendment  
of regulation  
4

4. The principal Regulations are amended in regulation 4, by-

- (a) deleting sub regulation (1) and substituting for it the following:  
“(1) A person shall not provide online media services without obtaining a licence from the Authority.  
(2) Notwithstanding sub (1) above, a mainstream media licensee is exempted from licensing under this Regulation for simulcasting or re-publication of content through the internet.”; and
- (b) renumbering subregulation (2) as subregulation (3).

Repeal and  
replacement  
of regulation  
5

5. The principal Regulations are amended by deleting regulation 5 and substituting it with the following:

“Categorie  
s of  
licence

5. Online Media Service Licence shall be categorized as follows-

- (a) Online Media Service Category A which includes online content services; and
- (b) Online Media Service Category B which includes content aggregation.”.

Repeal and  
replacement  
of regulation  
6

6. The principal Regulations are amended by deleting regulation 6 and substituting it with the following:

“Applica-  
tion for  
licence

6.-(1) A person who intends to provide online media services shall apply to the Authority for a licence by filling an application form prescribed in the First Schedule and paying fees as set out in the Second Schedule to these Regulations.

(2) The application for Online Media Service Licence Category shall be accompanied by-

- (a) certified copy of certificate of incorporation for companies or certificate of registration for non-governmental organizations or a certificate for business names registration for individuals;
- (b) certified copy of Tax Identification Number Certificate;

- (c) certified copy of Tax Clearance Certificate for companies or non-governmental organizations;
- (d) certified copy of National Identity Card of shareholders;
- (e) list of owner and management team;
- (f) curriculum vitae of key staff who shall be responsible to run the station who meets the minimum qualifications for journalists;
- (g) editorial policy guidelines for online radio and online television; and
- (h) any other information or documents as the Authority may require.”.

Amendment  
of regulation  
7

7. The principal Regulations are amended in regulation 7 by adding immediately after sub regulation (2) the following:

“(3) The licence shall be valid for a period of three years and may be renewed.”.

Amendment  
of regulation  
9

8. The principal Regulations are amended in regulation 9, by-

- (a) deleting paragraph (c);
- (b) renumbering paragraphs (d) to (l) as paragraphs (c) to (k) respectively; and
- (c) deleting paragraph (c) as renumbered and substituting for it the following:

“(c) monitor and moderate user generated content to avoid publication of prohibited content;”.

Repeal of  
regulation 10

9. The principal Regulations are amended by deleting regulation 10.

Repeal and replacement of regulation 12

10. The principal Regulations are amended by deleting regulation 12 and substituting for it the following:

“Online news and current affairs licensee

12. An Online Content Services License Category A shall be required to comply with the following conditions-

(a) in the case of online content service licensee, shall-

(i) adhere to journalism ethics and professional requirements as per the Media Services Act;

(ii) for a licensee who provides radio and television content shall adhere to local content requirements as prescribed by the Authority;

(b) in the case of online content aggregator, shall-

(i) observe copyright requirements including obtaining right clearance from relevant content owners;

(ii) provide electronic guide support;

(iii) provide customer care support;

(iv) provide complaints' handling procedures;

(v) provide information in writing type of

product, bouquet and services offered; and  
(vi) provide cost structure for products and services, if the services is be subscribed by a fee.”

Repeal of regulation 13

11. The principal Regulations are amended by deleting regulation 13.

Repeal and replacement of regulation 18

12. The principal regulations are amended by deleting regulation 18 and substituting it with the following:

“Children protection

18. An online content service licensee, host or online content user shall take measures to ensure children are protected against access to any content that is harmful to the children wellbeing.”.

Amendment of regulation 20

13. The principal Regulations are amended in regulation 20 by deleting sub regulation (3) and substituting for it the following:

“(3) Complaint handling procedures shall be according to rules as may be prescribed by the Authority.”.

Repeal and replacement of First and Second Schedules

14. The principal Regulations are amended by deleting the First and Second Schedules and substituting them with the following:

FIRST SCHEDULE

(Made under regulation 6(1))

TANZANIA COMMUNICATIONS REGULATORY AUTHORITY  
ISO 9001:2015 CERTIFIED



APPLICATION FOR LICENCE TO PROVIDE ONLINE CONTENT SERVICES

**A: Category of licence applied for (Please tick)**

- 1. Category A-
  - a) Online Media Services (radio)
  - b) Online Media Services (television)
  - c) Online Media Services (forum or weblog)
- 2. Category B - Online Media Services (content aggregator)

**B:** Registered name of online radio, television, blog, aggregator or other online services with respective link for access of the services

.....  
.....

**C: Particulars of Applicant**

- 3. Name(s) of applicant:.....  
Telephone .....  
National ID No. ....  
E-mail: .....  
Physical address.....  
Town/City..... Street .....Plot No.....  
Post Code.....
- 4. Name(s) of shareholders and their respective shares  
.....  
.....
- 5. Citizenship of applicant's shareholders/directors (With passport numbers and National ID numbers)  
.....  
.....
- 6. TIN and Tax Clearance Certificates



*Electronic and Postal Communications (Online Content) (Amendment)*

*GN. No.136 (Contd)*

---

- .....
7. Staff establishment and qualification  
.....
8. Expected date of commencement of operations  
.....
9. Any other relevant information  
.....

10. **Declaration:**

I/ We ..... declare that the contents of this application and any enclosures are true and correct.

Signature of authorized person.  
Name .....  
Signature.....  
Position.....  
Date.....

SECOND SCHEDULE

*(Made under regulation 6(1))*

ONLINE MEDIA SERVICES LICENCE FEES

S/N	TYPE OF LICENCE	APPLICATION FEES (TZS)	ANNUAL LICENCE FEES (TZS)	RENEWAL FEES (TZS)	LICENCE DURATION
1.	Online Media Services	50,000	500,000	50,000	3 years
2.	Online Content Aggregator	100,000	1,000,000	100,000	3 years

Amendment  
of Third  
Schedule

15. The principal Regulations are amended in the Third Schedule by-

- (a) deleting item (d) appearing under paragraph 4; and
- (b) renumbering items (e) and (f) as items (d) and (e) respectively.

Dodoma,  
....., 2022

NAPE MOSES NNAUYE  
*Minister for Information,  
Communication and  
Information  
Technology*