



**RWANDA
UTILITIES
REGULATORY
AUTHORITY**

**PROCEDURES TO AWARD FREQUENCIES
IN FM BAND (87.5-108MHz)**

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CONTENTS

CONTENTS.....	1
1. INTRODUCTION	2
2. PURPOSE.....	2
3. METHODS FOR ASSIGNMENT	2
4. APPLICATION AND EVALUATION PERIOD	3
4.1. Late applications	3
4.2. Confidentiality.....	3
4.3. Clarification of applications	3
4.4. Notification of Award.....	3
4.5. Evaluation period.....	3
5. CRITERIA FOR SELECTION.....	4
5.1. General conditions	4
5.2. Conditions of operation.....	4
5.3. Conditions of application.....	4
5.4. Evaluation criteria.....	5

1. INTRODUCTION

The FM broadcasting frequencies worldwide are being drawn from an International Telecommunication Union (ITU) Plan called the Geneva 1984 or GE84 Plan, which has assigned FM frequencies to each country in a way to avoid transmitters' interference within a country and between countries.

The GE84 Plan has allocated to Rwanda a total of 60 FM frequencies for the 10 recognized transmitting sites countrywide. Among these frequencies, Kigali has been allocated 12 frequencies. However, with the current growth and demand of frequencies, the allocated frequencies have been over assigned especially for Kigali area with currently more than 30 frequencies assigned. The allocation was based on First-Come-First-Served criteria, resulting in the depletion of planned frequencies.

Due to the scarcity of frequency resources and the increasing demand of frequencies in the FM broadcasting Band, RURA conducts regular engineering analyses and inspections with the aim of checking compliance with license obligations by already licensed broadcasters and also to find more frequencies that could be assigned to new entrants in the market or to existing broadcasters wishing to expand their coverage.

2. PURPOSE

The purpose of this document is to set requirements and criteria to be fulfilled for an FM frequency to be awarded to an applicant. These criteria will provide a fair and transparent way of assigning FM frequencies whereby all interested applicants will be given equal chances in case any frequency becomes available.

3. METHODS FOR ASSIGNMENT

As mentioned in the introduction, the demand for FM Broadcasting frequencies outnumbered the available frequencies. Therefore, on availability of a new Frequency, the method for awarding these frequencies will be based on **comparative selection** or "**Beauty contests**". With this method, RURA invites all applications to bid, and shall assign the frequency to the applicant who would meet to the best the criteria set in this document.

The regulatory authority shall bring the invitation to apply to the attention of those wishing to submit applications. The regulatory authority shall advertise the invitation to apply in at least one radio station and one newspaper of nation-wide circulation and, on its website.

4. APPLICATION AND EVALUATION PERIOD

4.1. Late applications

The regulatory authority shall not consider any application that arrives after the deadline for submission of the applications. Any application received by the regulatory authority after the deadline for submission of applications shall be declared late, rejected, and returned unopened to the applicant.

4.2. Confidentiality

All applications must be submitted in **sealed envelopes** addressed to RURA, Department of Communication and Media regulation. The envelope must also show the title “Frequency Award in the FM band”.

Information relating to the examination, evaluation and comparison of applications, shall not be disclosed to applicants or any other persons not officially concerned with such process until publication of the Award.

Any effort by an applicant to influence the regulatory authority in the examination, evaluation and comparison, of the applications or award decisions may result in the rejection of its applications.

Notwithstanding with the above, from the time of application to the time of Award, if any applicant wishes to contact the regulatory authority on any matter related to the application process, it should do so in writing.

4.3. Clarification of applications

To assist in the examination, evaluation, comparison of the applications, the regulatory authority may, at its discretion, ask any applicant for a clarification of its application. Any clarification submitted by an applicant in respect to its application and that is not in response to a request by the regulatory authority shall not be considered. The regulatory authority’s request for clarification and the response shall be in writing.

4.4. Notification of Award

Before the expiry of the evaluation validity period, the regulatory authority shall simultaneously notify the successful and the unsuccessful applicants of the provisional outcome of the applications evaluation.

The notification shall specify that the major elements of the award process would be made available to the applicants upon request and that they have seven (7) days in which to lodge a protest, if any, before the frequency is awarded to the successful applicant.

4.5. Evaluation period

The applications shall be evaluated within 45 days from the last day of the submission of the applications and the preferred and unsuccessful applicants shall be notified of the outcome of the evaluation.

5. CRITERIA FOR SELECTION

5.1. General conditions

A big weight will be given to the commercial viability and experience in broadcasting business and RURA may cross check the investment capability before assigning the frequency.

A. **The new applicant must:**

- ✓ Be a person or legal entity registered in Rwanda.
- ✓ Provide social security certificate
- ✓ Provide tax clearance certificate
- ✓ Provide the financial projection of his/her business
- ✓ Provide a weekly programme of the intended radio station
- ✓ Show targeted areas of coverage
- ✓ Not hold (directly, or through associations) any controlling interest in other licences for FM broadcasting in Rwanda

B. **The existing broadcaster must:**

- ✓ Show compliance with the Laws and Regulations and guidelines in place pertaining to Broadcasting.
- ✓ Have used the previous assigned frequencies in efficient and effective manner
- ✓ Provide a weekly programme of the intended station
- ✓ The existing radio programme has not been reported as unlawful content or harmful to anyone;

5.2. Conditions of operation

- ✓ The applicant must operate within the assigned frequency bandwidth.
- ✓ The applicant must be ready to install the broadcasting transmitter at the designated area and respect technical conditions such as power limits and antenna directivity set to avoid interference;
- ✓ The applicant must be ready to commence providing FM radio broadcasting services within one year of the date of his Licence Agreement;
- ✓ The applicant must abide by Regulations governing broadcasting services in the country set by RURA
- ✓ Locally generated programming shall be designed with a strong emphasis on previously unmet needs and interests of listeners within the intended area of operations.

5.3. Conditions of application

The following conditions must be fulfilled by the applicant. Any applicant missing any of these conditions shall not be evaluated.

1. The applying person or entity must be legally registered in Rwanda.
2. Present RDB certificate indicating that the applicant business activities shall be focus on FM radio broadcasting services
3. Provide the financial projection of the business (Business plan) and prove the financial means to pay regulatory & spectrum fees and run a radio station.
4. Provide a weekly programme of the intended radio station with more than 60% of local content (Monday to Sunday and 6:00 to 22:00 hours)
5. The new applicant must not hold (directly, or through associations) any controlling interest in other licences for FM broadcasting in Rwanda
6. The existing FM broadcaster wishing to extend his network must prove that he complies with the Laws and Regulations in place.
7. The applicant must be ready to commence providing FM radio broadcasting services within one year of the date of his Licence Agreement.

5.4. Evaluation criteria

Evaluation criteria	Evaluation marks
1. Content with real impact to socio-economic well-being of the citizens of Rwanda	30 Marks
2. Innovative elements in broadcasting content	20 Marks
3. Broadcasters' Capacity of producing his own content	30 Marks
4. Technical means to prevent interference with other stations	20 Marks
Total	100

Note: The minimum score required is **70 Marks**