

submitted to the Minister of Regional and Local Government, Housing and Rural Development for approval.

Copies of the Swakopmund Town Planning Amendment Scheme No. 46 and the maps, plans, documents and other relevant matters are lying for inspection during office hours at the Municipality of Swakopmund and also at the Namibia Planning Advisory Board (NAMPAB), Ministry of Regional and Local Government, Housing and Rural Development, 2nd Floor, Room 234, GRN Office Park, Windhoek.

Any person who wishes to object to the approval of Swakopmund Town Planning Amendment Scheme No. 46, should lodge objections in writing to the Secretary, Namibia Planning Advisory Board (NAMPAB), Private Bag 13289, Windhoek on or before 02 May 2011.

No. 55

2011

PERMANENT CLOSURE OF A PORTION OF REMAINDER OF FARM 161  
BEING A STREET, ROSSMUND, SWAKOPMUND

Notice is hereby given in terms of article 50(3)(a)(ii) of the Local Authorities Act, 1992 (Act No. 23 of 1992) that the Municipality of Swakopmund proposes to close permanently the above-mentioned portion of Street as indicated on the plan PIROS 11/A which lies for inspection during office hours at the Swakopmund Municipality, Notice Board.

Objections to the proposed closing are to be served on the Secretary: Townships Board, Private Bag 13289, and the General Manager: Engineering Services, P O Box 53, Swakopmund, within 14 days after the appearance of this notice in accordance with Article 50(3)(a)(iv) of the above Act.

**E. VAN WYK  
GENERAL MANAGER  
ENGINEERING SERVICES  
SWAKOPMUND MUNICIPALITY**

NAMIBIAN COMMUNICATIONS COMMISSION

No. 56

2011

AMENDMENT OF TARIFFS OF MOBILE OPERATORS

The Namibian Communications Commission (NCC), at its ordinary meeting on the 9th day of February 2011 resolved to order an amendment of all tariffs of mobile operators with effect from the 1st March 2011 in terms of the Namibian Communications Commission Act, 1992 (Act No. 4 of 1992), as amended, and in terms of section 18.8 of Government Gazette No. 3815, General Notice No. 69, dated 29 March 2007 and section 18.10 of Government Gazette No. 3676, General Notice No. 234, dated 11 August 2006 and based further on the wholly voluntary agreement of some mobile operators to the amendment ordered:

*All Licences and providers of public mobile cellular services shall implement a price cap for off-net call prices and call prices to fixed-lines to the level of their on-net prices. Off-net prices and prices for calls to fixed-lines may no longer exceed those of on-net calls for each product or service. This applies for voice and text messages.*

*However, rates charged on voice calls between numbers belonging to the same institution or company, where subscriptions are part of the same contract (i.e. intragroup tariffs) are exempted from the above resolution. Intra-group calls shall be classified as internal calls.*

The price cap will only have a small negative financial impact on MTC and LEO since the majority of billable minutes are on-net, but will be of greater benefit to their customers in providing affordable services. The amendment is based on the following reasons:

1. Mobile termination rates were reduced to the cost of an efficient operator on 1st January 2011. Terminating a call on another mobile network or on a fixed-line network therefore costs approximately the same as on the own network.
2. The spirit of the licences granted is fair competition. Operators are not allowed to engage in any anti-competitive cross-subsidisation. Without an objective cost difference there exist no reasons for discriminating in retail prices against other networks.
3. Club effects which arises when consumers tend to have a preference for a network with a large pool of subscribers in order to benefit from the possibility to call and be called at a lesser calling rate by the largest possible number of subscribers have adverse impacts on competition and consumer welfare. The enforced price cap will reduce any club effects and curb traffic distortions.

Bundled voice minutes and text messages are expected to be network neutral. Bundled voice minutes and text messages are not part of this regulation. The Namibian Communications Commission (NCC) will monitor market developments and regulatory interventions may be undertaken if bundling is being used to create club effects.

The Namibian Communications Commission (NCC) strives to ensure fair competition in Namibia's telecommunication sector.

**C. BEUKES-AMISS**  
**CHAIRPERSON**

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**MINISTRY OF MINES AND ENERGY**

No. 57

2011

**CALLING FOR REPRESENTATIONS IN OPPOSITION TO APPLICATIONS MADE TO THE  
MINERALS ANCILLARY RIGHTS COMMISSION**

In terms of subsection (3) of section 109 of the Minerals (Prospecting and Mining) Act, 1992 (Act No. 33 of 1992), it is hereby made known that –

- (a) the person whose name is set out in the second column of the Table below, directly opposite the date set out in the first column for the applicable hearing of representations, and who is a holder of the licence specified opposite that name in the third column, has in terms of subsection (1) of that section applied to the Minerals Ancillary Rights Commission for the granting of the rights mentioned in the fourth column in respect of the land described opposite those rights in the fifth column of that Table;
- (b) any interested person who wishes to oppose an application referred to in paragraph (a) must deliver written representations and three copies thereof to the Secretary of the Minerals Ancillary Rights Commission: 2<sup>nd</sup> Floor, Room 216 of the Ministry of Mines and Energy, 1 Aviation Road, Windhoek or must send such representations and copies thereof by registered mail for the attention of the Secretary of the Minerals Ancillary Rights Commission to Private Bag 13297, Windhoek, and such delivered or sent representations must reach the Secretary on or before 8 March 2011;