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**GOVERNMENT  
OF LESOTHO**

INFORMATION, COMMUNICATIONS, SCIENCE,  
TECHNOLOGY AND INNOVATION



**L E S O T H O  
COMMUNICATIONS  
A U T H O R I T Y**

## **REQUEST FOR PROPOSALS**

**Consultancy Services for the Review of the Lesotho  
Communications Policy 2008 and Communications Act 2012**

**Date: 17 JUNE 2025**

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## **1. Background**

In 2008, the Government of Lesotho adopted the Lesotho Communications Policy 2008 (hereinafter referred to as "the Policy" or "the 2008 Communications Policy") with several key objectives. The Policy aimed to a) enhance the regulatory capacity of the Lesotho Communications Authority (LCA), b) establish a unified regulatory framework to address the convergence of telecommunications and broadcasting brought about by digitisation, including the regulation of postal services, c) promote competition within the communications sector and d) foster universal access to essential basic communication services. To implement this Policy, the Communications Act was enacted in 2012.

The Information and Communications Technology (ICT) sector evolves rapidly, necessitating periodic reviews of the Communications Policy. However, the current Communications Policy has remained unchanged for 17 years. Additionally, the shifting policy landscape requires an evaluation of this Policy to ensure it aligns with Lesotho's strategic objectives as outlined in the National Strategic Development Plan (NSDP) II (extended to 2023/24 - 2027/28), the National Digital Policy of 2024, and the Digital Transformation Strategy. The NSDP emphasises digital transformation to improve service delivery across all sectors. A key intervention highlighted in the Digital Transformation Strategy is the review of the Universal Service Fund (USF), the 2008 Communications Policy, and the Communications Act (2012) to align them with the requirements of digital transformation.

## **2. Introduction**

In pursuit of this statutory mandate, the Authority seeks to engage a consultant to conduct a study to review and modernize the Lesotho Communications Policy (2008) and the Communications Act (2012). The legislative framework governing regulatory practices must evolve to address the complexities of the digital era. A thorough review of the Policy and the Act is essential to ensure alignment with modern governance and the digital economy. The revised legislation should include the adoption of progressive licensing models that prioritise flexibility, foster innovation, and optimise resource efficiency while facilitating collaborative regulation in key areas such as consumer protection, personal data protection and privacy, cybersecurity, and spectrum management.

## **3. Statement of Objectives**

This consultancy is composed of two interconnected components aimed at enhancing the communication framework. The first part involves a comprehensive review and modernization of the Communications Policy (2008), ensuring that it

reflects the Digital Transformation Strategy's vision "to establish a collaborative digital ecosystem where stakeholders and society members leverage safe, reliable and inclusive digital technologies for sustainable economic growth and social well-being". The consultant will also recommend changes that are aligned to the evolving digital landscape.

The second part focuses on an in-depth evaluation of the Communications Act of 2012, assessing its relevance in today's digital world. Additionally, the consultancy will formulate a set of recommended legislative changes designed to harmonize the updated policy with the national digital transformation policy framework, effectively adapting the country's communications legislation for the demands of the digital era.

### **Part 1: Policy Review and Modernisation**

The objectives of this part of the assignment are as follows:

- a) To evaluate the implementation of the Communications Policy (2008) to identify its successes, challenges, and areas that require further attention.
- b) To conduct a critical review of the Policy to identify areas that are outdated, inconsistent, or misaligned with the evolving digital landscape. This review should incorporate international best practices in licencing, tariff regulation, converged regulation and collaborative digital governance, ensuring alignment with the digital economy's objectives of consumer protection, healthy competition, and universal access, personal data protection and privacy, cybersecurity, and collaborative regulation and digital governance.
- c) To develop a Lesotho Communications Policy (2025) that shall guide the communications sector regulation in Lesotho. The Policy should align with the Lesotho Digital Transformation Policy Framework and other regulatory instruments to set clear expectations for, among other things:
  - Enhancing cybersecurity standards and resilience across telecom networks and other regulated entities.
  - Enforcing data governance and secure infrastructure practices.
  - Enabling the safe adoption of transformative technologies.
  - Establishing a regulatory environment that encourages innovation and adoption of emerging technologies while safeguarding digital infrastructure.

The outcome should be a policy that promotes collaborative and data-driven regulation, digital governance and ensures a digital ecosystem that supports national strategic goals, while upholding the principle of technology neutrality.

## **Part 2: Reviewing the Communications Act (2012) for the Digital Era**

- a) To conduct a thorough review and analysis of the potential conflicts between the objectives and provisions of the Communications Act (2012) and those of the updated draft Communications Policy (2025), as outlined in Part 1.
- b) To propose clear and well-reasoned legislative amendments to the Communications Act (2012) that effectively integrate the principles and objectives of the updated Communications Policy into legally enforceable provisions.
- c) To address, based on stakeholder feedback, any additional issues that may impact the effectiveness and implementation of the revised policy.
- d) To recommend legislative changes aimed at strengthening the capacity and effectiveness of the communications regulator, including a detailed review of the board structure, governance processes, and decision-making frameworks. These updates should ensure the regulator is equipped to regulate in the digital era, with a specific focus on mainstreaming transformative technologies (such as AI, IoT, and blockchain) and establishing a robust data governance framework.
- e) To propose amendments that clarify the governance and revise the mandate of the Universal Service Fund, ensuring it addresses multiple dimensions of the digital divide. This includes a review of its funding sources, improved inclusion of persons with disabilities, a stronger focus on digital skills development, and the integration of transformative technologies to promote universal access and digital equity.
- f) To clarify the governance framework of the .ls country code top-level domain (ccTLD) by proposing legislative amendments that align with Internet Corporation for Assigned Names and Numbers (ICANN) best practices, safeguard national interests, and support digital sovereignty.
- g) To develop the Communications Amendment Bill.

## **4. Scope of the Services**

The consultant will undertake the following key tasks:

### **4.1 Inception Report**

The Consultant will produce and present an inception report laying out the methodology and project plan.

### **4.2 Produce an Evaluation of the Communications Policy (2008) Implementation – as described in Part 1 a) – Policy review and modernization.**

The consultant will evaluate the Communications Policy (2008) using a comprehensive methodology that includes document review, stakeholder consultations, and data analysis tools. The consultant must clearly define the chosen methodology, justify the selection of specific tools, and outline the processes for data collection, analysis, and interpretation in the evaluation plan.

The evaluation will assess both the extent and effectiveness of the policy's implementation. It will identify key successes, challenges, and gaps while examining the policy's impact on critical areas such as universal access to communication services, consumer protection, and competition. Moreover, the evaluation will include a gap analysis to compare the current policy with an ideal policy framework designed to promote collaborative regulation and digital governance.

#### **4.3 *Draft a revised Communications Policy***

After the review, the consultant will develop a revised Communications Policy that aligns with the objectives and principles outlined in Lesotho's Digital Transformation Strategy and other legislative instruments. The updated policy will focus on a safe, inclusive, and reliable digital ecosystem to help achieve the country's digital development goals and promote sustainable economic growth and social well-being.

#### **4.4 *Review and Recommend amendments to the Communications Act to align the Act with the revised policy***

The consultant will also review and analyse the Communications Act (2012) in line with the objectives stated in Part 2: **Reviewing the Communications Act (2012) for the Digital Era** above.

#### **4.5 *Prepare the Communications Amendment Bill***

After review and stakeholder consultations, the consultant will Draft a Bill incorporating recommended amendments.

#### **4.6 *Submit the final report***

The Consultant will submit the report consolidating all the deliverables and provide the presentation to stakeholders.

## **5. Schedule for Completion of Tasks and Payment Schedule**

**Deliverables** are tied to the tasks outlined in Table 1 below. Payment will be milestone based as shown in Table 2.

**Table 1: Schedule for Completion of Tasks**

Task	Timeline	Deliverable
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<b>Task 1:</b> Inception Report	<b>Week 1-2</b>	Inception Report with methodology, detailed project plan, stakeholder engagement plan, and timeline.
<b>Task 2:</b> Evaluation of Communications Policy (2008) Implementation	<b>Week 3-7</b>	Evaluation Report highlighting successes, challenges, gaps, and gap analysis compared to an ideal policy framework.
<b>Task 3:</b> Draft a revised Communications Policy	<b>Week 7-11</b>	Draft revised Communications Policy (2025) aligned with Lesotho's Digital Transformation Strategy and other relevant legislative instruments.
<b>Task 4:</b> Review and Recommend Amendments to the Communications Act (2012) and develop the Communications Amendment Bill	<b>Week 11-18</b>	A comprehensive Report on the Review and Recommendations for Amendments to the Communications Act (2012), following consultations with industry, government, and public stakeholders.  Draft Communications Amendment Bill
<b>Task 5:</b> Final Report and Presentation	<b>Week 19-20</b>	Final Project Report consolidating all deliverables and a presentation to stakeholders for feedback.

*Table 2: Payment Schedule*

<b>Milestone</b>	<b>Deliverable</b>	<b>Payment Percentage</b>
<b>1</b>	Approval of <b>Inception Report</b> .	10%
<b>2</b>	Submission and approval of the <b>Evaluation Report</b> for the Communications Policy (2008) Implementation, following a stakeholder validation workshop.	30%
<b>3</b>	Submission and approval of the <b>draft revised Communications Policy</b> , following a stakeholder validation workshop.	25%
<b>4</b>	<ul style="list-style-type: none"> <li>A comprehensive <b>Report on the Review and Recommendations for Amendments to the Communications Act (2012)</b>, following consultations with industry, government, and public stakeholders</li> <li>Draft Communications Amendment Bill</li> </ul>	25%
<b>5</b>	<b>Final Project Report</b> consolidating all deliverables and a presentation to stakeholders for feedback.	10%

Payment shall be made upon the Ministry of Information, Communications, Science, Technology and Innovation's approval of the consultant's submitted report or draft, evidenced by the Ministry's sign-off on a completion form provided by the consultant, and receipt of the consultant's invoice, with payment due within 30 days of invoice submission.

## **6. Data, Services, and Facilities to be Provided by the Ministry of Information, Communications, Science, Technology and Innovation**

The Ministry will:

- a) Provide relevant policy documents and telecommunications data.
- b) Facilitate stakeholder access for consultations.
- c) Organise validation meetings for each deliverable for which stakeholder validation is required.
- d) Provide technical and administrative support while working on site.

## **7. Consultant's Qualifications and Experience Requirements**

### **7.1 Consultant Qualifications**

The consultant must demonstrate expertise and experience in conducting policy reviews, stakeholder consultations, and legal drafting in the fields of telecommunications, digital governance and cybersecurity.

### **7.2 Relevant Experience**

- At least five (5) years of experience in policy development, legislative drafting, and regulatory reform in the telecommunications or ICT sectors, with a preference for work in Lesotho, Southern Africa or economies comparable to Lesotho.
- A proven track record of delivering comprehensive policy reviews in the ICT sector for national governments.
- Experience in legal drafting specific to Lesotho or comparable jurisdictions. The consultant must provide a list of at least four (4) projects of a similar nature to the work outlined in this bid, completed within the past five (5) years.

### **7.3 Sector-Specific Expertise**

- In-depth knowledge of telecommunications policy, cybersecurity frameworks, and digital collaborative governance.
- Familiarity with internet governance principles and strategies for fostering digital economies.

### **7.4 Reputation and Compliance**



- A strong reputation for delivering high-quality, practical solutions, supported by references from reputable government or multilateral clients.

### 7.5 *Language Proficiency:*

- The consultant's team must be proficient in English, with Sesotho as an added advantage.

**NB:** The consultant may form joint ventures, partnerships, or subcontracts to ensure access to the technical expertise and experience required for the project.

## 8. Consultant's Team Composition

The three key personnel must collectively cover project management, policy expertise, and legal drafting, with specific skills to address the scope of work as outlined in **Scope of the Services** section. Below is the list of indicative key professional positions whose curriculum vitae and experience shall be evaluated:

### 8.1 Project Lead

- Educational Background:** The Team Lead should have an advanced degree in any of the following areas: telecommunications, ICT, public policy, law, or a related field. Additional certifications in project management (e.g., PMP, PRINCE2) or specialized ICT governance are an added advantage.
- Professional Experience:** A minimum of ten (10) **years of experience** in leading policy development, legislative reform, or regulatory projects in the telecommunications or ICT sectors, in particular having a track record of managing projects involving multiple stakeholders, including government, industry, and civil society. They must have experience conducting evaluations of national or sectoral policy implementations, preferably within Southern Africa or similar economies.
- Technical Knowledge:** Expertise in telecommunications and ICT policy, digital governance, regulatory frameworks and familiarity with legislative drafting and policy alignment processes.
- Regional and Sectoral Familiarity:** Experience working in Lesotho or the Southern African region and understand local and regional dynamics in telecommunications, digital economy development, and governance.
- Language Proficiency**

### 8.2 Policy Expert

- Educational Background:** The Policy Expert must have advanced degree in any of the following areas: public policy, telecommunications, law, ICT, or a

related field. Specialized training in policy development or regulatory analysis will be an advantage.

- b) **Professional Experience:** The Policy Expert must have at least seven (7) years of experience in policy development, review, and implementation, particularly in the telecommunications or ICT sectors. The expert must also have experience in conducting policy evaluation, organising stakeholder consultation sessions, and drafting reform policy documents in alignment with applicable legal and regulatory frameworks. Additionally, the expert must have experience working with governments, regulatory authorities, or international organizations in similar projects.

### 8.3 Legal Drafting Expert

- a) **Educational Background:** The Legal Expert must have at least a Master's degree in Law (LLM) with a focus on telecommunications, ICT, public law, or a related field.
- b) **Professional Experience:** The Legal Expert must have at least seven (7) years of experience in legal drafting, particularly in telecommunications, ICT, or related regulatory fields. Experience in legal drafting in Lesotho, or similar jurisdictions is essential.

The Legal Expert must have an understanding of telecommunications law, digital governance, and digital policy frameworks. The legal expert must be familiar with international legal standards, frameworks, ITU recommendations, and cybersecurity protocols.

- c) **Language NB:** The consultant may submit the curriculum vitae of additional team members whose expertise complement the competencies required for the assignment, in order to strengthen the effectiveness of the project team.

## 9. Contract Type and Other Information

- a) **Estimated Duration of the Work:** 5 – 6 months

- b) **Project Governance**

The consultant will work closely with the Project Team Lead appointed by the Ministry of Information, Communications, Science, Technology, and Innovation (MICSTI). The project team will comprise representatives from both MICSTI and the Lesotho Communications Authority (LCA).

Final approval of all project outputs will be granted by the Principal Secretary of MICSTI. The Principal Secretary will also be responsible for signing deliverable acceptance certificates.

c) **Contract Management**

The Lesotho Communications Authority (LCA) will be the contracting party with the consultant and will handle payment of invoices for deliverables approved by the Principal Secretary of the MICSTI.

d) **Assignment Type**

This is an **Output-Based Assignment**; payment will be made upon delivery and acceptance of specified outputs.

e) **Contract Type**

This assignment will be governed under a **Lump Sum Contract**.

## 10. Conditions

Bid submissions must meet all the conditions indicated below, failure to comply with conditions 10.1 (a) and 10.1 (b) will lead to disqualification:

### 10.1 General terms and conditions

- a) Valid Tax Clearance Certificate.
- b) Valid Business Registration Documents.
- c) VAT registration certificate (where applicable).
- d) Company Profile.
- e) The submission shall include three (3) references where similar assignment(s) were undertaken and should specify full names of client companies, the contact person(s), their physical and email addresses and telephone numbers. All references will be contacted for further information on those assignments.
- f) Bidders not contacted within 60 working days should consider their submissions unsuccessful.
- g) Lesotho laws shall be applicable.
- h) Late submissions shall not be accepted.

**NB:** The above documents must form part of technical proposal document of the tender.

### 10.2 Specific terms and conditions

- a) The proposal shall clearly state the bid price for the **“Provision of Consultancy Services for the Review of the Lesotho Communications Policy (2008) and**

**Communications Act (2012)**” in Lesotho Loti (LSL). All prices shall include VAT where applicable.

- b) Proposals must be valid for at least 60 working days from the submission deadline.
- c) The bidder shall submit curriculum vitae (CV) of minimum of three (3) key personnel that have relevant experience, technical knowledge and project management skills.

### **10.3 LCA’s Rights**

- a) This Request for Proposal (RFP) does not commit the Authority to pay for any expenses incurred by the bidder in the preparation of responses to this invitation.
- b) The Authority reserves the right to accept or reject any response to this RFP.
- c) The Authority reserves the right to cancel or withdraw this RFP as a whole or in part without furnishing any reasons and without attracting any liability.
- d) The Authority reserves the right to call company representatives to make presentations.
- e) The Authority shall not be bound to accept the lowest bid price tendered.

## **11. Submission Format**

Bid submissions must meet all the conditions indicated below. Failure to comply with any submission format will lead to disqualification:

- a) The bidder must submit one original and four copies of its bid submission document clearly marked “ORIGINAL” and “COPIES” as appropriate for both technical and financial proposals.
- b) Technical proposals must be in a separate package from the Financial proposals.
- c) The package containing the technical proposal must be sealed, clearly marked “TECHNICAL PROPOSAL”, and the package containing the financial proposal must be sealed, clearly marked “FINANCIAL PROPOSAL”. The technical proposal should NOT include any financial information.
- d) Both packages must be placed in one outer package clearly marked “CONSULTANCY SERVICES FOR THE REVIEW OF THE LESOTHO COMMUNICATIONS POLICY (2008) AND COMMUNICATIONS ACT (2012)”.
- e) All bids shall be physically delivered. **Electronic submissions shall not be accepted.**

## **12. Time Frames and Other Details**

- a) Any request for clarification on the RFP must be addressed in writing to the Chief Financial Officer at **admin@lca.org.ls** no later than five days before the deadline.
- b) The tenders must be submitted in the tender box located at the LCA reception on the 1st Floor, Lesotho Communications Authority, 30 Princess Margaret Road, Old Europa, Maseru, Lesotho on or before 21 July 2025 at 11hr00. No submission shall be accepted after closing time.
- c) The opening of bid documents shall be on the 21 July 2025 at 11hr15 at LCA premises.
- d) Interested bidders are invited for the bid opening and only one representative from a bidding company will be allowed to attend.
- e) The selected company or entity shall be informed in writing and invited for contract negotiations.

## **13. Submission Address**

**ALL SUBMISSIONS MUST BE DELIVERED AND ADDRESSED TO:**

The Chief Financial Officer  
 1st Floor Lesotho Communications Authority Building  
 30 Princess Margaret Road, Old Europa  
 P. O. Box 15896  
 Maseru,  
 LESOTHO.