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ACT NO. 4 OF 2006

Lesotho Telecommunications Authority (Amendment) Act 2006

An Act to amend the Lesotho Telecommunications Authority Act 2000¹

Enacted by the Parliament of Lesotho

Short title and commencement

1. (1) This act may be cited as the Info-Communications Authority (Amendment) Act 2006 and shall come into operation on the date of its publication in the Gazette.

(2) The Lesotho Telecommunications Authority Act 2000 (in this Act referred to as "the principal law") is amended by deleting the title "Lesotho Telecommunications Authority Act 2000" and substituting "Info-Communications Authority Act 2000".

2. General amendment

The principal law is amended-

- (a) by deleting the words "appointing authority" wherever they appear in the Act and substituting the word "Minister";
- (b) by deleting the word "telecommunication" wherever it appears in the Act and substituting the word "info-communication".

Interpretation

3. The principal law is amended in section 2 -

- (a) by deleting the interpretation of "appointing authority";
- (b) by deleting the word "telecommunication" and substituting the word "info-communication" and placing it in its proper alphabetical order.

The Board

6. The principal law is amended in section 5 by deleting subsections (1) and (2) and substituting the following:

- “(1) There shall be a Board of the Authority which shall be responsible for the exercise of the powers and performance of the duties of the Authority.
- (2) The Board shall consist of 7 members including the Chief Executive all of whom shall be appointed by the Minister.”.

Chief Executive

7. The principal law is amended in section 13 (1) by deleting the words “pursuant to section 5 (1)”.

General duties of the Authority

8. The principal law is amended in section 15 -

- (a) by deleting the semi colon at the end of paragraph (i) and substituting a full stop;
- (b) by deleting paragraph (j).

General powers of the Authority

9. The principal law is amended in section 16 (1) -

- (a) by inserting the words “and any other procedures and directives” between the words “rules” and “as are necessary to”;
- (b) by deleting the word “grant” in paragraph (e) and substituting the word “issue”.

- (b) by adding the following subsection:

“(2) A licensee who fails to comply with the conditions of a licence may be subject to the following penalties:

- (a) revocation of the licence;
- (b) suspension of the licence; or
- (c) any other penalty that may be appropriate in the circumstances.”.

Grant of licenses

15. The principal law is amended in section 52 by deleting subsection (2) and substituting the following:

“(2) The Authority shall, upon approval by the Minister, issue licences to utilize radio frequencies in accordance with the national frequency allocation table and the spectrum management plan.”.

Powers of enforcement

16. The principal law is amended in section 60 -

- (a) in subsection (1), by deleting the words “of a Magistrates Court of First Class of record”;
- (b) in subsection (2), by deleting the word “appellate” appearing between the words ‘deferred on’ and “review”;
- (c) by adding the following subsection:

“(3) An application for review by the High Court shall be submitted within 21 days from the date of the decision of the Authority.”.

NOTE

1. Act No. 5 of 2000