

PUBLIC POSTAL OPERATOR LICENSE

PREAMBLE

Pursuant to the Law n° 09/2013 of 01/03/2013 establishing Rwanda Utilities Regulatory Authority (RURA) and determining its mission, powers, organisation and functioning, in its article 2;

Pursuant to the regulations n° 001/COM&MR/M&PR/RURA of 4/4/2015 governing postal and courier services in Rwanda;

The Regulatory Board, upon due consideration and deliberation in its meeting of 24/12/ 2015; Hereby issues a License for providing public postal services to the Licensee under the following terms and conditions.

I. PURPOSE OF THIS LICENSE

The purpose of this License is to authorise the Licensee to provide postal and parcels delivery services in the Republic of Rwanda.

II. DEFINITIONS

1⁰ Authority: Rwanda Utilities Regulatory Authority (RURA);

2⁰ License: A legal document issued by the Authority which authorizes the holder to carry out postal or courier activities as specified and under the conditions prescribed in the given document as well as postal and courier regulation in Republic of Rwanda;

3⁰ Licensee: The holder of a license issued by the Authority under these Regulations to provide postal or courier services;

4⁰ Post office: Any place, building, house, room or vehicle authorized by the universal service licensee for the posting, receipt, sorting, handling, transmission or delivery of postal articles and where stamps and other postal materials are sold;

5⁰ Post: A system for collection, dispatching, conveying, handling and delivery of postal articles by or through public postal licensee;

6⁰ Postal service: Any service by post;

7⁰ Public postal operator: Responsible for Universal Service Obligation (USO) and has the widest international and domestic coverage (networks);

8⁰ Turnover: The amount of the operating revenues of the concerned Public Utility, after deduction of VAT and sums paid to other operators for their interconnection services;

9^o Universal postal services: The basic postal service within Rwanda which includes the acceptance, conveyance and delivery of letters up to two(2) kilograms, parcels and packets of up to Twenty(20) kilograms, and financial services delivered at equal and reasonable tariffs to all Citizens.

III. VALIDITY AND RENEWAL OF THE LICENSE

The license is granted for a period of five (5) years renewable, starting from its effective date. The Licensee must apply for any license renewal at least Ninety (90) calendar days prior to the expiration of the valid license;

The procedures for the renewal of the license are provided by the Regulations governing Postal and Courier Services in Rwanda.

IV. MODIFICATION OF THE LICENSE

A license modification proceeding may be initiated by the Authority or by request of the license holder.

The Authority may modify a license before its expiration when it determines that an amendment of the license is needed in order to respond to the motives provided by the Regulations governing Postal and Courier Services in Rwanda.

V. TRANSFER OF THE LICENSE

The license shall not be transferred or assigned to a third party without the prior written consent of the Regulatory Authority. A license transfer proceeding is initiated by the licensee when the Authority has issued an approval of the transfer.

VI. SUSPENSION OR REVOCATION OF THE LICENSE

Depending on the seriousness of the fault committed by the Licensee, the Authority may suspend or revoke a license before the expiration of the license term when it determines that the suspension or the revocation is needed in order to respond to the motives provided by the Regulations governing Postal and Courier Services in Rwanda.

The Authority shall commence a license suspension by sending written notice to the licensee advising the licensee of the commencement of a suspension proceeding, and requiring licensee to file a response within five (5) days;

If the licensee contests the suspension or fails to convince to the Authority notice, the Authority shall notify the Licensee the final decision not later than seven (7) working days;

In case the Authority confirms the license suspension, such decision shall be notified to the Licensee and be published at the Authority's web site;

If the Licensee does not correct such faults within fourteen (14) days during the period of suspension without justification; the license shall automatically be revoked.

VII. APPLICABLE FEES

The Licensee shall pay to the Authority:

1. An application fee of 140 USD;
2. Licence fees of 7,500 USD;
3. Annual Operating fee shall be calculated based on percentage of annual turnover made on postal and courier business as to be determined by Regulatory Board;
4. Annual contribution to the universal postal access fund as to be determined by Presidential Order.

VIII. GENERAL OBLIGATIONS OF THE LICENSEE

The licensee shall be obliged to comply with the laws and regulations in force as well as the License terms and conditions.

IX. SPECIFIC OBLIGATIONS OF THE LICENSEE

The licensee for providing public postal services shall:

1. Provide domestic and international postal services;
2. Provide Universal Postal Services to Rwandan citizen and reserved services in addition to other postal services;
3. The Licensee shall provide and maintain letter posting boxes and post offices throughout the Republic of Rwanda and may use the words post or postal office on such boxes and offices. The Licensee will be required to attain a letter box and post office penetration level as mentioned in the regulations and will be mutually agreed upon between the Licensee and the Authority from time to time; Provide quality services that take into account postal security as well as speed and reliability of mail.

X. OTHER OBLIGATIONS

Other obligations of the licensee as well as license requirements not mentioned in this license are referred to the Regulations governing postal and courier services.

XI. INSPECTION

The Authority, or its authorized representative, has the right to inspect the premises of the licensee and its network facilities for a purpose of ascertaining compliance to the license conditions.