

# REPUBLIC OF RWANDA



**RWANDA UTILITIES REGULATORY AUTHORITY**  
**P.O BOX 7289 KIGALI, Tel: +250 252 584562, Fax : +250 252 584563**  
**Email: [info@rura.rw](mailto:info@rura.rw)**  
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## **BOARD DECISION N°001/BD/RURA/2017 OF 12<sup>TH</sup> MAY 2017 IMPOSING REGULATORY SANCTIONS TO MTN RWANDA LTD**

The Regulatory Board of the Rwanda Utilities Regulatory Authority;

PURSUANT to Law N° 09/2013 of 01/03/2013 establishing the Rwanda Utilities Regulatory Authority (RURA) and determining its mission, powers, organization and functioning especially in Articles 4,3°; 4,10°; 6,1°; 6,2°; 20, 4° and 21;

PURSUANT to Law N°24/2016 of 18/06/2016 governing Information and Communication Technologies especially in Article 269;

PURSUANT to Regulations N° 001/R/TD-ICS/RURA/016 of 06/05/2016 Governing Telecom Network Security in Rwanda;

CONSIDERING the Cellular Mobile License of MTN Rwanda Ltd especially in Section 4 on compliance obligation requesting MTN Rwanda to comply at all times during the duration of its license with the provisions of the license and all applicable laws, regulations or instruments which exist or which may from time to time be issued by the competent Authority;

CONSIDERING RURA's Directives of 28<sup>th</sup> January 2011 and 7<sup>th</sup> February 2011 to MTN Rwanda concerning the MTN IT Hub in Uganda and instructing MTN Rwanda Ltd to exclude itself from all aspects of the regional IT shared services initiative, failure of which would be considered as a serious breach of its license obligations leading to appropriate measures in accordance with applicable laws;

HAVING established from MTN Rwanda Ltd that despite the Directives, an interim phase for the hub was implemented from September 2012 and on 26<sup>th</sup> October 2014 MTN Rwanda Ltd fully operationalized its IT Services management under MTN Hub in Uganda;

IN EXERCISING its powers in accordance with Law N° 09/2013 of 01/03/2013 establishing RURA and Law N°24/2016 of 06/05/2016 governing Information and Communication Technologies;

Upon due consideration and deliberation in its session of 12 May 2017;

**THE REGULATORY BOARD HEREBY DECIDES;**

**Article One: Purpose of this Decision**

The purpose of this Decision is to impose administrative sanctions on MTN Rwanda Ltd for non-compliance with Directives issued by RURA on the prohibition to join the IT Hub in Uganda.

**Article 2: Administrative fine**

A daily administrative fine of 5,000,000 Frw from 26 October 2014 to 27 June 2016 and a daily fine of 15,000,000 from 28<sup>th</sup> June 2016 to 20<sup>th</sup> March 2017 are imposed on MTN Rwanda Ltd for non-compliance with RURA Directives in accordance with article 57 (6) of Law N° 44/2001 of 30/11/2001 governing Telecommunications and Article 269 (1°) of the Law governing Information and Communication Technologies N°24/2016 of 18/06/2016 in Rwanda.

The total fine to be paid by MTN Rwanda Ltd is Seven Billion Thirty Million Rwandan Francs (7,030,000,000Frw).

**Article 3: Notification and Publication of the Board Decision**

The Director General of RURA shall notify MTN Rwanda Ltd of this Decision and publish it on the RURA Website.

**Article 4: Coming into force**

This Decision shall come into force on the date of its signature.

**Kigali, on 12/05/2017**

Sé

**Eng. Coletha U. RUHAMYA  
CHAIRPERSON**

Sé

**Eugene KAZIGE  
Vice-Chairperson**

Sé

**Judith MBABAZI  
Member**

Sé

**Fortune MUKANDOLI  
Member**

Sé

**Liliane U. MUPENDE  
Member**

Sé

**Dr. Etienne NTAGWIRUMUGARA  
Member**

Sé

**Patrick NYIRISHEMA  
Member**