

**BOARD DECISION N° 02/BD/RURA/2021 OF 19/08/2021
ISSUING AN ENFORCEMENT NOTICE TO MTN RWANDACELL PLC**

The Regulatory Board of Rwanda Utilities Regulatory Authority;

PURSUANT to Law N°09/2013 of 01/03/2013 establishing Rwanda Utilities Regulatory Authority (RURA) and determining its mission, powers, organization and functioning, especially in article 2.1°, 4.2° and 4.10°;

PURSUANT to Law N°24/2016 of 18/06/2016 governing Information and Communication Technologies, especially in article 59;

PURSUANT to Regulation N° 006/R/STDQOS/ICT/RURA/2019 of 30/01/2019 governing the quality of service of cellular mobile networks services in Rwanda, especially in article 5;

PURSUANT to Section 19.2 of the license granted to MTN RWANDACELL PLC which requires the Licensee to provide services continuously, twenty-four (24) hours a day and seven (7) days a week, except in the event of force majeure, or where the Licensee has received the prior written consent from the Regulatory Authority to interrupt the provision of the licensed services;

FOLLOWING the hearing session conducted on 23/07/2021, during which MTN acknowledged that there is a gap between the improvement of the KPIs and the translation of these improvements into customer experience;

AFTER EXAMINATION of all information submitted and explanations given by of MTN RWANDACELL PLC on the failure to meet the deadline of the remediation plan in order to improve the quality of service in the City of Kigali and upcountry districts, as submitted in the letter dated April 9th, 2021;

IN EXERCISING its powers under articles 4, 10 of the Law N°09/2013 of 01/03/2013 establishing Rwanda Utilities Regulatory Authority (RURA) and determining its mission, powers, organization and functioning;

Upon due consideration and deliberation in its session of 19/08/2021;

THE REGULATORY BOARD HEREBY DECIDES;

I. PURPOSE OF THIS DECISION

The purpose of this Decision is to **issue an Enforcement Notice to MTN RWANDACELL PLC** for the non-compliance with the license and regulatory obligations.

II. ENFORCEMENT NOTICE

The Regulatory Board hereby issues **an Enforcement Notice directing MTN RWANDACELL PLC** to solve all network connection issues related to **poor calls connections (first attempts failures), drop calls and Silent/Garbled-Speech Calls**. In addition to that, MTN RWANDACELL PLC must comply with the regulation N° 006/R/STD-QoS/ICT/RURA/2019 of 30/01/2019 governing the quality of service of cellular mobile networks services within the time limit specified below:

- a. By 29th October 2021 **in Kigali City** and
- b. By 30th November 2021 **in the rest of the country**.

Should these deadlines be exceeded, further regulatory sanctions, including the monetary sanction shall be applied immediately.

III. NOTIFICATION AND PUBLICATION OF THE BOARD DECISION

The Director General of RURA shall notify **MTN RWANDACELL PLC** of this Decision and publish it on RURA’s Website.

IV. EFFECTIVE DATE OF THIS DECISION

This Decision takes effect on the date of its signature.

Kigali, on 19th August 2021

(sé)

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Dr. Ignace GATARE
Chairperson of the Regulatory Board

(sé)

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ABABO Peace
Vice Chairperson

(sé)

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Dr. KAYIHURA M. Didas
Member

(sé)

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MUKANDOLI Fortune
Member

(sé)

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UMWALI Mireille
Member

(sé)

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Dr. UFITIKIREZI Daniel
Member

(sé)

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Dr Ernest NSABIMANA
Member