

Procedure for Awarding FM Frequencies, May 2023



PROCEDURE TO AWARD FM FREQUENCIES IN THE BAND (87.6-108 MHz)

May 2023

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1. INTRODUCTION

Radio frequency is a national limited natural resource that is managed and regulated in a manner that is efficient, effective and sustainable.

Due to the scarcity of frequency resources and the tremendous demand of frequencies in the FM broadcasting Band, the assignment of frequencies in the stated band will no longer be “first come, first served” as it has been the case up to the year 2015. To award FM frequencies, Rwanda Utilities Regulatory Authority (RURA) shall ensure that the FM frequencies assignment is conducted through a competitive process with fair and open competition.

As a result of these changes, new entrants and existing broadcasters wishing to expand their coverage areas must comply with the procedures as set out herein.

Based on Law N° 24/2016 of 18/06/2016 governing Information and Communication Technologies, especially in Articles 80; 81; 85 and 86;

Having considered the Regulation N° 007/R/SM-ICT/RURA/2019 of 15/11/2019 on Radio Frequency Management, especially in Articles 4;5;8; 9 and 10;

Rwanda Utilities Regulatory Authority (RURA) introduces a new procedure for awarding FM frequencies in Rwanda.

2. PURPOSE OF THIS PROCEDURE

The purpose of this procedure is to set up minimum requirements and criteria that need to be fulfilled for award of FM frequencies.

3. AVAILABILITY OF FM FREQUENCIES

The available FM frequencies identified in Kigali City and other provinces are specified in this Procedure.

Province	Broadcasting site	Available Frequencies
Kigali City	Jari (1° 52' 58.1" S 30° 00' 54.0" E)	Jari: 93.9, 98.7, and 106.7 MHz
	Rebero (1° 59' 42 " S 30° 04' 15 " E)	Rebero: 89.7 and 92.1MHz

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Eastern Province	Nyarupfubire (1° 16' 13.2" S 30° 24' 2.3" E) Gitwe (2° 7' 57.9" S 30° 39' 42.3" E)	Nyarupfubire: 92.9, 97.1 and 97.8MHz Gitwe: 89.4, 93.7, 94.5 and 105.6MHz
Southern Province	Huye (2° 33' 52.9" S 29° 41' 03.8" E)	Huye: 91.7, 92.6 and 106.1MHz
Western Province	Nyabitimbo (1° 35' 28" S 29° 3' 58" E) Rubona (1° 43' 31.4" S 29° 15' 50.9" E) Gihundwe (2° 29' 55" S 28° 55' 11.6" E) Rucamatako (2° 22' 11" S 29° 11' 27" E) Karongi (2° 8' 53" S 29° 22' 29" E)	Nyabitimbo: 90.1 and 107.1MHz Rubona: 106 MHz Gihundwe: 100.9, 101.8 and 102.9MHz Rucamatako: 106.5MHz Karongi: 90.1MHz

4. METHOD FOR ASSIGNMENT

The assignment of FM Broadcasting frequencies is subject to the availability of frequencies in the country. Frequency assignment method for new FM frequencies is conducted through a competitive assignment processes with fair and open competition.

RURA invites all interested applicants to bid, through public advertisement and the frequency is awarded to the applicant who meets the best criteria set in this procedure.

5. SUBMISSION OF THE APPLICATIONS

The application and all documents submitted in support of the application for FM Frequencies are sent in a sealed envelope addressed to **Director General of RURA**, marked with the title **"Frequency Award in the FM band"**.

6. LATE SUBMISSION OF THE APPLICATION

The Regulatory Authority shall not receive applications submitted after the deadline specified in the call for application and the application.

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Any application received by the Regulatory Authority after the deadline specified in the call for application is legally defective and must therefore be rejected.

7. SELECTION PROCESS

The Applicant must comply with the following administrative, technical and financial capabilities to obtain a frequency he/she has applied for.

7.1. ELIGIBILITY CRITERIA FOR NEW APPLICANTS

a) Administrative criteria

A new applicant must:

- a) Be an entity legally registered in Rwanda;
- b) Provide tax clearance certificate issued by Rwanda Revenue Authority;
- c) Provide clearance Certificate issued by Rwanda Social Security Board.

b) Financial criteria

A new applicant must submit:

- a) a five (5) years business plan indicating;
 - 1. Income statements;
 - 2. Cash flow projections
 - 3. Balance sheets;
 - 4. Market growth;
 - 5. Commercial ambitions (marketing, sales and distribution, products and services,); and
 - 6. Bank letter of intent or/end proof of funding sources to cover the investment cost;

c Technical criteria

A new applicant must submit:

- a) A show targeted broadcasting site;

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- b) the proposed management structure of the radio and profile of the staff;
- c) Criminal records for Managing Director, Chief Editor;
- d) CV(s) of Managing Director, Chief Editor and radio technician(s);
- e) accreditation card for the Chief Editor issued by RMC;
- f) summary note indicating the intended focused innovation which the radio is bringing in broadcasting industry;
- g) Academic and professional certificates as well as detailed CVs of proposed journalist(s)

7.2 ELIGIBILITY CRITERIA FOR BROADCASTERS IN THE MARKET

a) Administrative criteria

The licensed applicant must submit:

- a) Employee's salary payment proof of last six (6) months;
- b) Provide social security certificates of permanent staff;
- c) tax clearance certificate issued by RRA; and
- d) clearance Certificate issued by RSSB.

b) Financial criteria

The licensed applicant must submit:

i) The implementation report of the previous Business Plan approved by RURA;

ii) A revised Business Plan indicating:

- 1. the Income statements;
- 2. Cash flow projections
- 3. Balance sheets;
- 4. Market growth;
- 5. Commercial ambitions (marketing, sales and distribution, products and services,);
and
- 6. Bank letter of intent or/and proof of funding sources to cover the investment cost;

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c) Technical criteria

A licensed applicant must submit:

- a) Report indicating on how it has used the previous assigned frequencies in efficient and effective manner;
- b) Report indicating on how it has used the previous frequencies with appropriate cavity filters to minimize harmful interferences;
- c) a weekly programme of the intended radio station with a detailed description of each program;
- d) Criminal records for Managing Director, Chief Editor;
- e) CV(s) Managing Director, Chief Editor and radio technician(s) and
- f) Academic and professional certificates and detailed CVs of employed journalist(s)

To be selected for the assignment of F.M frequency, the licensee must ensure that in the previous years, he/she has been in compliance with all Laws, Regulations and directives of Rwanda Utilities Regulatory Authority.

8. TIMEFRAME OF THE SELECTION PROCESS AND EVALUATION

The applications are evaluated within 45 days from the last day of the submission of the applications and RURA notifies the outcome of the evaluation to all applicants.

In case that the evaluation period goes beyond this timeframe, RURA informs the applicants and extends the period for an additional period of fifteen (15) days.

9.EVALUATION PERIOD

The evaluation period is forty-five (45) working days. In case that the evaluation period goes beyond this time frame, the Regulatory Authority informs all applicants and extends the time period for an additional period of fifteen (15) working days.

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10. NOTIFICATION OF AWARD

Upon completion of the evaluation, RURA shall notify the successful and the unsuccessful applicants of the provisional outcome of the applications evaluation.

The notification includes the following elements:

a) Successful applicants:

- Name of the applicant;
- Marks obtained;
- FM frequency assigned and the site location.

b) Unsuccessful applicants:

- Name of the applicant;
- Marks obtained;
- Name of the successful applicants and the marks obtained.

11. APPEAL

Any applicant who is unhappy with a decision, he/she has seven (7) days to file an appeal with RURA.

The applicant must date and address a notice of appeal to the Director General of RURA and clearly indicates the decision he is appealing against and attach a copy of the decision and give reasons why he disagrees with this decision.

The Director General responds to this appeal within fifteen (15) working days.

12. CONDITIONS FOR OPERATION

The successful applicant must:

- a) operate within the assigned frequency bandwidth **150 KHz (+/-75KHz)**;
- b) be ready to install the broadcasting transmitter at the designated site and respect technical conditions as prescribed in their licenses;

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- c) be ready to commence providing FM radio broadcasting services within one year of the date of his/her License award, failure to do so the frequency shall be withdrawn;
- d) abide by Regulations governing broadcasting services in the country;
- e) apply for broadcasting license with requirements found on the link:
https://rura.rw/fileadmin/Documents/ICT/Laws/Regulation_Governing_Broadcasting_Services_in_Rwanda_for_January_2022.pdf;

For any existing applicants who own beyond three (3) FM frequencies, they are not eligible to apply for a new radio frequency.

13. EVALUATION REQUIREMENTS AND RELATED MARKS

I. Content with real impact to socio economic well-being of the citizens of Rwanda (32 Marks)	
1. Socio-economic transformation	5 Marks
2. Rural development and urbanization	4 Marks
3. Encouraging entrepreneurship and youth empowerment	4 Marks
4. Encouraging Service delivery	4 Marks
5. Promoting local content (at least 50%)	5 Marks
6. Promoting digital transformation (ICT in development)	5 Marks
7. Gender equality promotion	5 Marks
II. Innovative elements in broadcasting content (10 Marks)	
1. Diversity of content to the existing contents	2.5 Marks
2. Relevance of the content to the Rwandan citizen	2.5 Marks
3. Programmes/service offering is innovative	2.5 Marks
4. Internal measures to ensure broadcast standards are maintained.	2.5 Marks
III. Broadcaster's capacity of running radio station (38 Marks)	
1. Availability of staff (Managing Director, Chief editor and radio technicians)	10.5 Marks
(a) Managing Director	
<ul style="list-style-type: none"> • Masters' Degree or Bachelor's Degree in Communication, Journalism, Business Administration or any General Management related field (2.5 marks); • Relevant experience (1.5 marks); 	
(b) Chief Editor	
<ul style="list-style-type: none"> • Masters' Degree or Bachelor's Degree in Communication and Journalism or other related field (2.5 marks); 	

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<ul style="list-style-type: none"> Relevant experience in media industry to be proven by journalist accreditation card of the last 5 years. (1.5 marks) 	
(c) Radio Technicians <ul style="list-style-type: none"> Bachelor's Degree, A1 or A2 in Electronics & Telecommunication, Computer Science and related (1.5 marks); Experience in radio broadcasting industry (1 mark). 	
2. 5 years detailed Business Plan including the following items:	
a. Bank statement for the last 3 months	4 Marks
b. Bank letter of intent or/and proof of funding sources to cover the investment cost	4 Marks
c. Investment cost	4 Marks
d. Debt / Equity ratio	4 Marks
e. Demonstrates sufficient ability to sustain its business for the entire license period	5 Marks
f. Financial ratios to demonstrate expected solvency, liquidity and Profitability	4 Marks
3. Provide a weekly programme of the intended radio	2.5 Marks
c. Technical specifications (20 Marks)	
1. Proposed mechanism for operating in the assigned bandwidth 150KHz (+/-75KHz);	5 Marks
2. Measures to ensure the FM radio station can seamlessly continue offering service in the events of equipment failure, a natural or man-made disaster occurs and/or data losses.	5 Marks
3. Electrical Safety Requirements in the Studio and Transmission Facilities	5 Marks
4. The mechanisms for preventing interferences with other radiocommunication services, harmonics spill overs and out of band emissions.	5 Marks

N.B: -The minimum score required is 70 out of 100.

Done at Kigali on 03/05/2023



Patrick Emile BAGANIZI
Ag. Director General

