

**NATIONAL COMMUNICATIONS AUTHORITY BILL, 2025**

**ARRANGEMENT OF SECTIONS**

*Sections*

*National Communications Authority*

- 1. Establishment of the National Communications Authority
- 2. Object of the Authority
- 3. Functions of the Authority
- 4. Powers of the Authority
- 5. Regulatory and best practices of the Authority

*Governing body of the Authority*

- 6. Governing body of the Authority
- 7. Functions of the Board of the Authority
- 8. Duties and liabilities of members of the Board of the Authority
- 9. Tenure of office of members of the Board of the Authority
- 10. Meetings of the Board of the Authority
- 11. Disclosure of interest
- 12. Declaration of registrable interest
- 13. Establishment of committees
- 14. Allowances
- 15. Policy directives
- 16. Independence of the Authority

*Administrative Provisions*

- 17. Appointment of Director General and Deputy Director
- 18. Functions of the Director General
- 19. Secretary
- 20. Appointment of other staff
- 21. Offices, divisions, directorates, departments or units
- 22. Internal Audit Unit

*Financial Provisions*

- 23. Funds of the Authority
- 24. Bank account of the Authority
- 25. Expenses of the Authority
- 26. Exemption from tax
- 27. Borrowing powers
- 28. Accounts and audit
- 29. Annual report and other reports

*Miscellaneous Provisions*

- 30. Procedure for decision-making by the Authority
- 31. Register of interests
- 32. Code of conduct
- 33. Application
- 34. Regulations
- 35. Interpretation
- 36. Transitional provisions
- 37. Repeal and savings

## **A BILL**

## **ENTITLED**

### **NATIONAL COMMUNICATIONS AUTHORITY ACT, 2025**

AN ACT to establish the National Communications Authority to regulate, promote, and develop a national framework for communication services; to provide for the licensing and certification of all spectrum and broadcasting activities; to enforce standards for communication activities; and to provide for related matters.

#### **DATE OF ASSENT:**

PASSED by Parliament and assented to by the President

*National Communications Authority*

#### **Establishment of the National Communications Authority**

1. (1) There is established by this Act, the National Communications Authority as a body corporate.
- (2) The Authority may, for the performance of its functions acquire and hold property, dispose of property and enter into a contract or any other related transaction.
- (3) Where there is a hindrance to the acquisition of land, the land may be acquired for the Authority under the Land Act, 2020 (Act 1036) and the cost shall be borne by the Authority.

#### **Object of the Authority**

2. The object of the Authority is to
  - (a) regulate, coordinate, and promote the provision of communication services in the country;
  - (b) regulate the use of radio frequency spectrum, orbital, numbering and any other resource for the provision of communication and broadcasting services in the country in line with national development goals;
  - (c) ensure the provision of quality communications services and activities;
  - (d) promote standards of efficiency and ensure high quality of service in the communication ecosystem; and
  - (e) coordinate the allocation, allotment, assignment, use, and management of orbital, numbering, spectrum and other resources that may be designated for electronic communications services.

#### **Functions of the Authority**

3. (1) To achieve the object under section 2, the Authority shall:
  - (a) develop, monitor and enforce the implementation of national communications standards and ensure compliance accordingly;
  - (b) formulate a strategic plan;
  - (c) grant communication licences and authorisations for communication services and related activities;
  - (d) regulate and monitor licensees and holders of frequency authorisations;
  - (e) ensure fair competition among licensees, operators of communication networks, and service providers of communications;
  - (f) classify communications and ancillary services and publish the classifications in the Gazette;
  - (g) determine applications for licences and authorisations for communication activities and resources;
  - (h) maintain the Register established under section 31;
  - (i) collect and arrange to be collected moneys lawfully due to the Authority;
  - (j) plan, assign, regulate, and monitor the radio frequency spectrum;
  - (k) investigate and resolve disputes

- (i) related to harmful interference with frequency brought to the attention of the Authority or of which the Authority has knowledge;
  - (ii) to protect the interests of consumers or users of radio frequency spectrum for communication services and communication networks;
  - (iii) among users and operators in respect of rates, billing, and services provided, and facilitate relief where necessary;
  - (iv) in the event of the failure to obtain redress from providers of communication services; and
  - (v) in respect of interconnection, sharing facilities, and utility installations;
- (l) undertake inspections and approval of communications equipment, facilities, installations, and related activities;
  - (m) exercise exclusive oversight jurisdiction over the regulation, allocation, and licensing of the radio frequency spectrum;
  - (n) monitor compliance and enforce sanctions for breaches under this Act;
  - (p) carry out investigations, on its own initiative or upon request, into conduct that is in contravention of this Act;
  - (q) establish quality of service indicators and reporting requirements for operators and service providers;
  - (r) certify and ensure the testing of communications equipment for compliance with
    - (i) national and international standards; and
    - (ii) environmental, health and safety standards, including electromagnetic radiation and emissions;
  - (s) ensure the systematic implementation of policy directives of the Minister and of national communications policies;
  - (t) obtain requisite information from any person for the performance of its functions;
  - (u) when designated by the Minister, represent the Republic at international fora;
  - (v) issue guidelines and standards from time to time;
  - (w) support the implementation of the Universal Access Policy;
  - (x) encourage high standards of propriety within the Authority and promote efficiency and effectiveness among its staff;
  - (y) establish a policy and resource framework for the operation of the Authority in line with its overall strategic plan;
  - (z) ensure compliance with principles of good corporate governance at all times;
  - (aa) establish and manage a national numbering plan for network and application services;
  - (bb) advise the Minister on:
    - (i) matters relating to the communications industry within the country and globally;
    - (ii) policies, including incentives, that may promote investment and innovation in the communications industry in Ghana;
    - (cc) promote targeted research and development in specific aspects of the communications industry that align with the objects of the Authority, subject to available resources and oversight by the Authority; and
  - (dd) perform any other function assigned to it under this Act or any other enactment, or that is ancillary to the object of the Authority.

## **Powers of the Authority**

### **4. The Authority may exercise the following powers:**

- (a) enter into a contract for the supply of goods and services;
- (b) invest the funds of the Authority in accordance with the Public Financial Management Act;
- (c) publish information that is relevant to its functions and activities in a manner that it considers appropriate;
- (d) promote, and where necessary and within available resources, support the training of

persons specifically in the development, operation, and maintenance of communications infrastructure, in collaboration with relevant public or private agencies; and

## **Regulatory and Best Practice of the Authority**

5. The Authority shall, in the performance of its functions, have regard to:

- (a) the principles of transparency, accountability, proportionality, and consistency;
- (b) best regulatory practice;
- (c) the protection of the interests of consumers or users of communications networks or communications services and, in particular, to the interests of consumer choice, quality of service, and value for money;
- (d) the impact on the environment of the activities undertaken by telecommunications service providers and telecommunications network providers;
- (e) the promotion of innovation and competition, and the establishment of incentives to encourage local participation in the provision of communications services;
- (f) the various demands, interests, and uses of the electromagnetic spectrum;
- (g) the needs and interests of persons with disability, the elderly, low-income earners, and the vulnerable;
- (h) the opinions of consumers and members of the general public;
- (i) the interest of both rural and urban dwellers; and
- (j) any applicable international standards and best practices, including International Telecommunication Union guidelines and such other regional or bilateral protocols ratified or adopted by the country.

## *Governance of the Authority*

### **Governing body of the Authority**

6.(1) The governing body of the Authority is a Board of Directors consisting of

- (a) the chairperson
  - (b) the Director-General appointed under section 18;
  - (c) one representative of the
    - (i) the National Security Council,
    - (ii) the National Media Commission,
    - (iii) Ministry responsible for Communications, not below the rank of a director.
  - (d) one person with experience and expertise in communications; and
  - (e) three other persons each of whom has knowledge or expertise in telecommunication engineering, law, business or public administration.
- (2) At least two (2) members of the governing body of the Authority shall be women.
- (3) A person is not qualified for appointment if that person
- (a) is directly or indirectly involved in the management of; or
  - (b) has a financial or commercial interest in a communications network operator, a communications service provider, a communications equipment manufacturer or supplier either of whom operates within the country or outside the country or any other entity with an interest in the communications industry of this country.
- (4) The Board of the Authority shall ensure the proper and effective performance of the functions of the Authority
- (5) The President shall, in accordance with article 70 of the Constitution, appoint the chairperson and other members of the Board of the Authority.

### **Functions of the Board of the Authority**

7. The Board of the Authority shall
- (a) exercise general oversight responsibility for the strategic direction of the Authority;
  - (b) ensure the achievement of the object of the Authority; and
  - (c) ensure the effective and efficient performance of the functions of the Authority.

### **Duties and liabilities of a member of the Board of the Authority**

8. (1) A member of the Board of the Authority has the same fiduciary relationship with the Authority and the same duty to act with loyalty and in good faith as a director of a company incorporated under the Companies Act, 2019 (Act 992).

(2) Without limiting subsection (1), a member of the Board of the Authority has a duty

(a) to act honestly and in the best interest of the Authority in the performance of the functions of the Authority;

(b) to exercise the degree of care and diligence in the performance of functions that a person in that position would reasonably be expected to exercise in the circumstances;

(c) not to disclose information acquired in the capacity of the member as a member of the Board of the Authority to any person or make use of that information, except in the performance of functions;

(d) not to abuse the position of the office; and

(e) not to pursue personal interests at the expense of the Authority.

(3) A member of the Board of the Authority, other than the Director General, shall not participate in the day-to-day running of the Authority.

(4) A member of the Board is not personally liable for damage or injury to a third party that arises in the execution of an official duty of that member, if the member at all material times acted in good faith.

(5) The Authority shall indemnify and hold harmless such a member against any legal costs, including attorney's fees, expenses, and liabilities reasonably incurred in connection with any legal proceedings instituted against the member in respect of acts done or purported to have been done in the performance of official duties, provided that the member acted in good faith and in the interest of the Authority.

(6) Where a court determines that the Authority has suffered a loss or damage as a result of the act or omission of a member of the Board of the Authority, the court may, in addition to imposing a fine, order the member to pay appropriate compensation to the Authority.

#### **Tenure of office of members of the Board of the Authority**

9. (1) A member of the Board of the Authority shall hold office for a period of four years and is eligible for reappointment for another term only.

(2) Subsection (1) does not apply to the Director General.

(3) A member of the Board of the Authority may, at any time, resign from office in writing, addressed to the President through the Minister.

(4) A member of the Board of the Authority, other than the Director General, who is absent from three consecutive meetings of the Board of the Authority without sufficient cause ceases to be a member of the Board of the Authority.

(5) The President may, by letter addressed to a member, revoke the appointment of that member.

(6) Where a member of the Board of the Authority is, for a sufficient reason unable to act as a member, the Minister shall determine whether the inability of the member to act would result in the declaration of a vacancy.

(7) Where there is a vacancy

(a) under subsection (3), (4), (5), 11 (2) or 12(3) ; or

(b) as a result of a declaration under subsection (6), or

(c) by reason of the death of a member,

the Minister shall notify the President of the vacancy and the President shall appoint another person to fill the vacancy for the unexpired term.

(d) Where the person is appointed to fill a vacancy, that person shall subject to the provisions of this Act be eligible for re-appointment.

#### **Meetings of the Board of the Authority**

10. (1) The Board of the Authority shall meet at least once every three months for the conduct of business at a time and place determined by the chairperson.

(2) The chairperson shall, at the request in writing of not less than one-third of the membership of the Board of the Authority, convene an extraordinary meeting of the Board of the Authority at a time and place determined by the chairperson.

(3) The quorum for a meeting of the Board of the Authority is four members of the Board or a greater number determined by the Board in respect of an important matter.

(4) The chairperson shall preside at meetings of the Board of the Authority and in the absence of the chairperson, a member of the Board of the Authority elected by the members present from among their number shall preside.

- (5) Matters before the Board of the Authority shall be decided by a majority of the members present and voting and in the event of an equality of votes, the person presiding shall have a casting vote.
- (6) The Board of the Authority may co-opt a person to attend a meeting of the Board of the Authority but that person shall not vote on a matter for decision at the meeting.
- (7) The proceedings of the Board of the Authority shall not be invalidated by reason of a vacancy among the members or a defect in the appointment or qualification of a member
- (8) Subject to this section, the Board of the Authority may determine the procedure for the meeting of the Board of the Authority.

#### **Disclosure of interest**

- 11. (1) A member of the Board of the Authority who has an interest in a matter for consideration
  - (a) shall disclose in writing the nature of that interest and the disclosure shall form part of the record of the consideration of the matter; and
  - (b) is disqualified from being present at or participating in the deliberations of the Board of the Authority in respect of that matter.
- (2) A member ceases to be a member of the Board of the Authority if that member has an interest in a matter before the Board of the Authority and
  - (a) fails to disclose that interest; or
  - (b) is present at or participates in the deliberations of the Board of the Authority in respect of that matter.
- (3) Without limiting any further cause of action that may be instituted against the member, the Board of the Authority shall recover any benefit derived by a member who contravenes subsection (1), in addition to the revocation of the appointment of the member.

#### **Declaration of registrable interests**

- 12. (1) Each member of the Board shall, prior to taking office, submit to the Minister a written declaration of that member's registrable interest whether directly or indirectly owned by the member.
- (2) A member of the Board shall inform the Authority of any change in respect of that member's registrable interest from the date of the change.
- (3) A member who
  - (a) without reasonable excuse fails to declare a registrable interest, or
  - (b) knowingly makes a false declaration, contravenes subsections (1) and (2),ceases to be a member of the Board and the appointment of the member to the Board shall be revoked by the President

#### **Establishment of committees**

- 13. (1) The Board of the Authority may establish committees consisting of members of the Board of the Authority, non-members, or both, to perform a function of the Board of the Authority.
- (2) A committee composed of members and non-members of the Board of the Authority shall be chaired by a member of the Board of the Authority.
- (3) Without limiting subsection (1), the Board of the Authority shall establish the following committees:
  - (a) Technical Committee;
  - (b) Audit Committee; and
  - (c) Risk Committee.
- (4) Subject to the Act, the Board of the Authority shall determine the composition and functions of the committees established under subsection (3).
- (5) Section 12 applies to a member of a committee of the Board.

#### **Allowances**

- 14. A member of the Board of the Authority and members of a committee of the Board of the Authority shall be paid allowances and other benefits approved by the Minister in consultation with the Minister responsible for Finance.

#### **Policy directives**

- 15. (1) The Minister may give written directives to the Board of the Authority on matters of policy in line with the object and functions of the Authority and the Board of the Authority shall comply in a manner consistent with the effective performance of the functions of the Authority.

(2) Subsection (1) shall not be construed to confer on the Minister the power to instruct the Authority on specific technical or operational matters in relation to the object and functions of the Authority.

### **Independence of the Authority**

16. Except as otherwise provided in this Act, the Authority shall not be subject to the direction or control of any person or authority in the exercise of its mandate and regulatory functions.

### *Administrative Provisions*

### **Appointment of Director General and Deputy Director General**

17. (1) The President shall, in accordance with article 195 of the Constitution, appoint a Director-General and two Deputy Directors-General for the Authority.

(2) The Director General and Deputy Directors-General shall hold office on the terms and conditions specified in the letters of appointment.

(3) The Deputy Directors-General shall be responsible to the Director General in the performance of their functions.

### **Functions of the Director-General**

18. (1) The Director General

(a) is responsible for the day-to-day administration of the affairs of the Authority; and

(b) shall ensure the implementation of the decisions of the Board of the Authority.

(2) The Director-General may delegate a function to an officer of the Authority but shall not be relieved of the ultimate responsibility for the performance of the delegated function.

### **Secretary**

19. (1) The President shall, on the recommendation of the Board of the Authority, and in accordance with article 195 of the Constitution appoint an officer, not below the rank of a Deputy Director of the Authority, as Secretary of the Board of the Authority.

(2) The Secretary shall hold office on the terms and conditions specified in the letter of appointment.

(3) The Secretary shall

(a) facilitate the efficient operation of the Authority's formal decision making and reporting processes;

(b) attend meetings of the Board;

(c) record and keep the certified minutes of all meetings of the Board;

(d) collect, organise and distribute to members of the Board relevant information and documents for the purpose of meetings of the Board;

(e) advise the Board on matters related to memoranda and presentations for meetings of the Board; and

(f) perform any other function determined by the Board or by the Director-General.

### **Appointment of other staff**

20. (1) The President shall, in accordance with article 195 of the Constitution, appoint other staff of the Authority that are necessary for the effective and efficient performance of the functions of the Authority.

(2) Other public officers may be transferred or seconded to the Authority or may otherwise give assistance to the Authority.

(3) The Authority may, for the effective and efficient performance of the functions of the Authority, engage the services of advisors and consultants on the recommendations of the Board of the Authority.

(4) The Authority shall exercise control over the assignment, training and appropriate induction of a person employed as an officer or staff of the Authority in accordance with the Scheme of Service of the Authority.

### **Offices, divisions, directorates, departments or units of the Authority**

21. The Authority may establish offices, divisions, directorates, departments or units of the Authority as determined by the Board of the Authority for the effective and efficient performance of the functions of the Authority.

### **Internal Audit Unit**

22. (1) The Authority shall have an Internal Audit Unit in accordance with section 83 of the Public Financial Management Act, 2016 (Act 921).
- (2) The Internal Audit Unit shall be headed by an Internal Auditor who shall be appointed in accordance with the Internal Audit Agency Act, 2003 (Act 658).
- (3) The Internal Auditor is responsible for the internal audit of the Authority.
- (4) The Internal Auditor shall, subject to subsections (3) and (4) of section 16 of the Internal Audit Agency Act, 2003 (Act 658), at intervals of three months
- (a) prepare and submit to the Board of the Authority a report on the internal audit carried out during the period of three months immediately preceding the preparation of the report; and
- (b) make recommendations in each report with respect to matters necessary for the conduct of the affairs of the Authority.
- (5) The Internal Auditor shall, in accordance with subsection (4) of section 16 of the Internal Audit Agency Act, 2003 (Act 658), submit a copy of each report prepared under this section to the Director General and the chairperson of the Board of the Authority.

### *Financial Provisions*

#### **Funds of the Authority**

23. The funds of the Authority include
- (a) fees, charges or any other moneys payable under this Act, or any other enactment,
- (b) any moneys provided by Parliament,
- (c) donations, grants and gifts,
- (d) moneys derived from the investment of the Authority's funds, and
- (e) any other moneys that are approved by the Minister responsible for Finance.

#### **Bank account of the Authority**

24. Moneys for the Authority shall be paid into a bank account opened for the purpose with the approval of the Controller and Accountant-General.

#### **Expenses of the Authority**

25. The expenses of the Authority shall be charged on the funds of the Authority.

#### **Exemption from tax**

26. Subject to article 174 of the Constitution and the Exemptions Act, 2022 (Act 1083), the Authority is exempt from the payment of taxes that the Minister responsible for Finance may, in writing, determine with the prior approval of Parliament.

#### **Borrowing powers**

27. (1) Subject to article 181 of the Constitution and section 76 of the Public Financial Management Act, 2016 (Act 921), and with the prior consent in writing of the Minister, the Authority may borrow money from a body corporate or any other person.
- (2) For the purposes of securing the money borrowed, the Authority may, with the prior consent in writing of the Minister, mortgage, charge or pledge a right, title or an interest in any of the properties of the Authority.

#### **Accounts and audit**

28. (1) The Authority shall keep books, records, returns of account and other documents relevant to the accounts in the form approved by the Auditor-General.
- (2) The Board of the Authority shall submit the accounts of the Authority to the Auditor-General for audit at the end of the financial year.
- (3) The Auditor-General shall, within six months after the end of the immediately preceding financial year, audit the accounts of the Authority and forward a copy of the report to the Minister and the Board of the Authority.
- (4) The financial year of the Authority shall be the same as the financial year of the Government.

#### **Annual report and other reports**

29. (1) The Board of the Authority shall, within thirty days after the receipt of the audit report, submit an annual report to the Minister, covering the activities and operations of the Authority for the year to which the report relates.
- (2) The annual report shall include



- (a) the report of the Auditor-General;
  - (b) an assessment of the targets of the Authority; and
  - (c) a summary of challenges and feedback from stakeholders and recommendations to improve the efficiency and effectiveness of the Authority.
- (3) The Minister shall, within thirty days after the receipt of the annual report, submit the report to Parliament with a statement that the Minister considers necessary.
- (4) The Board of the Authority shall submit to the Minister any other report that the Minister may require in writing.

### *Miscellaneous provisions*

#### **Procedure for decision-making by the Authority**

30. (1) In the exercise of its function under this Act and the Electronic Communications Act, 2025 (Act ...) the Board shall
- (a) observe reasonable standards of procedural fairness;
  - (b) act timeously; and
  - (c) observe the rules of natural justice
- when making decisions that affect a person.
- (2) Without limiting subsection (1), the Board shall
- (a) publish a matter for decision in the Gazette as considered necessary or as required by the Electronic Communications Act, 2025 (Act ...) prior to making a decision;
  - (b) grant a person who is or is likely to be affected by a decision of the Board, an opportunity;
    - (i) to make a submission to the Board,
    - (ii) to be heard by the Board, or
    - (iii) to consult with the Board in good faith, and
  - (c) have regard to evidence adduced and matters contained in a submission made or received in the course of any consultation.
- (d) Where the Board makes a decision, it shall
- (i) state in writing the reasons for the decision; and
  - (ii) provide in accordance with its procedure; notification of the decision to the relevant persons.
- (3) The Board may, on application or on its own motion, review, rescind or vary a decision made by it or hear a matter again before rendering a decision.

#### **Register of interests**

- 31(1) The Director-General shall cause to be kept and maintained a Register in which shall be recorded details of
- (a) any share or debenture owned by a member of the Board;
  - (b) other financial interests a member of the Board has in a corporate body;
  - (c) any public or charitable appointment or directorship held by a member; and
  - (d) any other matter required to be registered.
- (2) The Register shall be publicly accessible, in both physical and electronic form.
- (3) The Register shall be open to the public for physical inspection during normal working hours and subject to the payment of a fee determined by the Authority.
- (4) A person may
- (a) make a copy of the content of the Register, or
  - (b) take an extract from the Register,
- at the fee that the Authority may determine.

#### **Code of conduct**

32. (1) The Board shall establish within one year of the commencement of this Act, a code of conduct for members of the Board, staff and persons whose services the Authority engages.
- (2) The Authority shall revise the code of conduct from time to time having regard to the changing regulatory objectives in the communications industry.

#### **Application**

33. This Act binds the Republic.

## Regulations

34. The Minister may, on the advice of the Board by legislative instrument make Regulations to

- (a) provide for the forms for applications;
- (b) prescribe requirements for authorisations and licences;
- (c) prescribe that all new telecom-related services involving the processing of personal data, including AI-powered customer service applications, shall be subject to pre-licensing approval following a joint evaluation by the National Communications Authority and the Data Protection Commission;
- (d) prescribe conditions for interconnection of communication systems;
- (e) provide procedures for the implementation of a system of universal service provision including the quality of service standards;
- (f) provide procedures for the use of
  - (i) network facilities,
  - (ii) network services,
  - (iii) application services,
  - (iv) content application services,
- (g) provide procedures for an integrated framework for robust, multi-hazard emergency communications on the declaration of an emergency in accordance with law; and
- (h) provide for local content and local equity participation in the provision of communication services;
- (i) provide for any other matter necessary for the effective implementation of the provisions of this Act.

## Interpretation

35. In this Act, unless the context 'otherwise requires

"Authority" means the National Communications Authority established under section 1;

"Application" means any software-based mechanism, digital platform, or computer program that is designed to:

- (a) process and transmit information or execute functions, including but not limited to processing, storing, displaying, or transmitting data or communications that are delivered to end users
- (b) enable interactive or content-based functionality or provide interactive services, facilitate user engagement or offer content enhancements such as multimedia, informational or entertainment features in conjunction with telecommunications network
- (c) operate via digital or telecommunication infrastructure or be deployed on, or function over, networks that include traditional telecommunications or internet-based systems, thereby complementing or augmenting core voice, messaging, or data transmission services

"Application services" means

"Board" means the governing body of the Authority established under section 6;

"Communication ecosystem" means the interconnected network of individuals, organizations, technologies, and information flows that shape how messages are produced, disseminated, and received within a specific context.

"communications network" means a communications network used to provide a communications service;

"communications operator" means a person authorised or licensed under this Act to operate a communications network;

"Communication services" means the transmission, conveyance, or routing of voice, data, text, sound, images, video, signals, signs, intelligence or any other information by wire, radio, optical, electromagnetic systems, or other means. This includes but not limited to services such as telephone services, mobile cellular services, internet access, broadcasting, satellite services, and any related ancillary services

"communications supplier" means a person authorised or licensed under this Act to provide communications service;

"Licence" means

"Minister" means the Minister responsible for Communications;

"operator" means a person licensed under the Electronic Communications Act, 2025 (Act ...) to operate a public communications network;

"registrable interest" means an interest required to be registered in accordance with this Act; .

"service provider" means a person licensed under this Act to provide a public communications service;

"Universal Access Policy" means the eligibility of

- (a) a person licensed under the Electronic Communications Act, 2025 (Act ...) to operate communications network; and
- (b) a person licensed under the Electronic Communications Act, 2025 (Act ...) to provide a communications service; and

"user" means a customer or subscriber of a communications network or a communications or broadcasting service and includes a customer that is an operator of a communications network and a customer that is a provider of a communications service.

**Transitional provisions**

36. (1) The rights, assets and liabilities accrued in respect of the properties vested in the Authority established under the National Communications Authority Act 2008 (Act 769) immediately before the commencement of this Act and the persons employed by the Authority shall be transferred to the Authority established under this Act and accordingly proceedings taken by or against the former Authority may be continued by or against the Authority.

(2) A contract subsisting between the former Authority established under the National Communications Authority, 2008 (Act 679) and another person and in effect immediately before the commencement of this Act shall subsist between the Authority under this Act and that other person.

**Repeal and savings**

37. (1) The National Communications Authority Act, 2008 (Act 769) is hereby repealed.

(2) Despite the repeal of Act 769 any licence, frequency, authorisation, Regulation, notice, order, direction, appointment or any other act lawfully made or done under the repealed enactment and in force immediately before the commencement of this Act shall be considered to have been made or done under this Act and shall continue to have effect until reviewed, cancelled or terminated.

**SCHEDULE**

**FORM AND CONTENT OF ANNUAL REPORT**

(Section 29)

Ref.	Part of Report	Description
1	Review by the Board	Table of contents
2		Index
3		Glossary
4		Contact officer(s)
5		Internet home page address and Internet address for report
6		Review by the board
6.1		Overview description of Authority
6.2		Role and functions Summary of significant issues and development
6.3		Organisational structure
6.4		Overview of the Authority's performance and financial results
6.5	Report on Policy	Significant issues and development
6.6		Outlook for the following year
7		Review of adherence and implementation of policy objec-

8	Objectives Report on Performance	tives and measurements of achievement in period. Review of performance during the year in relation to out- puts and contribution to outcomes
8.1		Actual performance in relation to performance targets set in the preceding year
8.2		Where performance targets differ from those set in the pre- ceding year details of both former and new targets, and reason for the change
8.3		Narrative discussion and analysis of performance
8.4		Trend information
8.5		Factors, events or trends influencing the Authority's per- formance
8.6		Significant changes in nature of principal functions/services
8.7		Performance against service charter customer service stan- dards, complaints data, and the Authority's response to complaints
8.8		Social justice and equity impacts
8.9		Discussion and ananalysis of the Authority's financial per- formance
8.10		Discussion of any significant changes from the prior year or from budget

Ref.	Part of Report	Description
8.11		Summary of resource tables by outcomes
8.12		Developments since the end of the financial year that have affected or may significantly affect the Authority's operations or financial results in future
9	Interconnection	Number of interconnection agreements submitted to the
	Agreements	Authority's and the names of parties to the Agreements
	Licences and	Applications for licences received and number of li
10	Authorisations	censes granted and names of beneficiaries, license revoked or suspended.
11	Numbers issued	
12	Frequencies issued	
13	Fees collected	
14	Management Accountability	
15	Corporate Governance	Statement of the main corporate governance practice in place
15.1		Names of the senior executives and their responsibilities
15.2		Senior management committees and their roles
15.3		Board Committees established or in existence and their roles
15.4		Corporate and operational planning and associated performance reporting and review

15.5		Approach adapted to identifying areas of significant financial or operational risk and arrangements in place to manage risks
15.6		Certification of fraud measures in place
15.7		Policy and practices <i>and</i> the establishment and maintenance of appropriate ethical standards
15.8		How nature and amount of remuneration for senior executive service employees is determined
16	External Scrutiny	Code of conduct for directors any change
16.1		Significant developments in external scrutiny
		Judicial decisions and decisions of the Telecommunications Tribunal
16.2		Reports by the Auditor-General, Parliamentary Committee or other competent government body
Ref.	Part of Report	Description
17	Management of Human Resources	Assessment of effectiveness in managing and developing human resources to achieve, staff turnover and retention
17.1		Workforce planning, staff turnover and retention
17.2		Training and development undertaken and their impact
17.3		Occupational health and safety performance
17.4		Productivity gains
17.5		Statistics on staffing
17.6		Performance pay
18	Purchasing	Assessment of purchasing against core policies and principles
19	Assets management	Assessment of effectiveness of assets management
20	Consultants and Competitive Tendering and Contracting	Number and nature of consultancy services and contracts and total expenditure on consultancy services.
20.1		Competitive tendering and contracting contracts awarded and outcomes
20.2		For all contracts indication of how the provisions of the Public Procurement Act were followed.
21	Providing access to people with disabilities	Report on performance in implementing the Disability Strategy or ensuring compliance with the Disability Act.
22	Financial Statements	Audited Financial Statements
23	Other Information	
23.1		Occupational health and safety
23.2		Freedom of Information
23.3		Advertising and Market Research
23.4		Ecologically sustainable development and environmental performance
24		Research sponsored and effect
		Human Resource Capacity holding initiatives and outcomes
24.1	Other	Discretionary Grants
		Correction of material errors in previous annual report

*\*Date of Gazette*