



**NIGERIAN COMMUNICATIONS ACT
(2003 No. 19)**

FREQUENCY SPECTRUM (FEES AND PRICING, ETC.)
(AMENDMENT) REGULATIONS, 2009

Commencement: *(Insert Date)*.

In exercise of the powers conferred on it by sections 70 and 72 of the Nigerian Communications Act, 2003 and of all other powers enabling it in that behalf, the Nigerian Communications Commission hereby make the following Regulations:

Scope of the
Regulations

1. These Regulations shall cover the determination of all frequency spectrum fees for commercial activities in the communications sector in Nigeria.

Objective

2. (i) The Frequency Spectrum (Fees And Pricing) Regulation 2004 is hereby reviewed by amending the Band Factor under PART A of the Second Schedule thereto by adding new Band factors.

(ii) The Band Factor 0.8 for 10.5 GHz is substituted with 0.33 for 10.5 GHz.

SECOND SCHEDULE

Regulations 11 and 16 (1)

PRICING FORMULA FOR FREQUENCY SPECTRUM FOR LICENSING REGIONS

**PART A – PRICING FORMULA OF FREQUENCY SPECTRUM
USING BAND FACTOR AND TENURE**

The price of spectrum for a licensing region will be calculated using the following formula, that is –

Spectrum Fee = (unit price) (B) (K₁) (K₂) per State

Where B = assigned bandwidth in MHz or spectrum size in MHz and K₁ = Band factor

Additional/New Band Factors

0.33 for 10.5 GHz

0.12 for 26 GHz

2.0 for 450 MHz

0.5 for 5.0 GHz

For Bands lower than 800 MHz or higher than 26 GHz, the factor, K₁ will be determined as the bands are assigned.

Citation **3.** These Regulations may be cited as the Frequency Spectrum (Fees and Pricing, Etc.) (Amendment) Regulations 2009

MADE at Abuja this day of, 2009

ERNEST NDUKWE, OFR
Executive Vice-Chairman

EXPLANATORY NOTE

*(This note does not form part of the above Regulations
but is intended to explain its purport)*

The Regulations, among other things, provides for the fees and pricing formula and policy for spectrum allocation and utilisation in Nigeria.