



Legislation Review Deck (LRD) – Licensing Regulations 2019

LRD Legend	
New Provisions/Additions	
Significant Changes to Existing Provisions	
Minor Changes to Existing Provisions	
No changes to existing provisions	

Nature of Review	Part/Section- & Thematic Area	Brief on Review/Changes	Regulatory Justification/Basis
	Part 1 <i>Scope & Application</i>	The review made the following changes to the Regulations: 1. A minor change by inserting a new Regulation 2 (c) expanding the scope and application of the Regulations to include General Authorisation.	This review and changes is to provide the regulatory clarity and will enable the Commission issue General Authorisation for services not yet covered by existing licences as well as deployment of regulatory sandboxes and Proof of Concept type of services and platforms.
	Part II <i>Licensing Process & Exemptions</i>	The review made the following changes to the Regulations: 1. A minor change by inserting a new Regulation 11 (c) stating that any existing licensee who fails to initiate renewal process will be required to re-apply for a licence upon its expiration.	This is to ensure all licensee comply with the provisions of the Act and the Regulations by initiating renewal of their licence at least six months before its expiration.
	Part III <i>Individual Licence</i>	The review made the following changes to the Regulations: 1. A minor change by inserting a new Regulation 18 (c) stating that any licence applicant, who has another licence already, will not get an additional licence if it has pending enforcement actions.	This is to ensure all licensee comply with the provisions of the Act and the Regulations by initiating renewal of their licence at least six months before its expiration.

		2. A phrase is added to Regulation 22 , by stating that any licence who allows his licence to expire will get it back ‘after a new application proces’.	
	Part IV <i>Class Licence</i>	This is an existing provision and no changes were made.	The provision still align with statutory and regulatory expectations.
	Part V <i>General Authorisation</i>	This s new Part and has new Regulations 29, 30 and 31 with requirements and process of issuing General Authorisation for new services.	This review and changes is to provide the regulatory clarity and will enable the Commission issue General Authorisation for services not yet covered by existing licences as well as deployment of regulatory sandboxes and Proof of Concept type of services and platforms.
	Part VI <i>Frequency Licence</i>	This is an existing provision and no changes were made.	The provision still align with statutory and regulatory expectations.
	Part VII <i>Procedure for transfer of Licence & Shares</i>	The review made the following changes to the Regulations: 1. A major change by inserting a new Regulation 46 outlining requirements and benchmarks for reporting and notifying the Commission of changes	This review and changes is to provide the following regulatory clarity 1. The Commission having visibility of major changes to shareholding of listed licensees, particularly as it relates to competition management in the Sector.

		<p>in ownership and shares by licensees listed on stock markets.</p> <p>2. Anew proviso was inserted to the existing provisions of Regulation 47 (1) that relates to issuance of Approval-in-Principle for changes in shareholding by adding <u>‘Provided that such Approval-in-Principle will only be issued after the applying licensee has discharged a substantial aspect of its outstanding obligations to the Commission’.</u></p>	<p>2. To set out clear requirements for issuance of Approval-in-Principle to licensees not in good regulatory standing.</p>
	<p>Part VIII <i>Registers</i></p>	<p>The review made the following changes to the Regulations:</p> <p>1. A minor change by inserting ‘General Authorisation’ in Regulation 54 (a) as part of the licences to be kept in a Register by the Commission.</p> <p>2. A new Regulation 55 was inserted requiring the Commission to keep a register of blacklisted directors of licensees, to support its licence application and renewal review processes.</p>	<p>This review and changes is to provide the following regulatory clarity</p> <p>1. On keeping registers.</p>
	<p>Part IX <i>Sanctions</i></p>	<p>This is an existing provision and no changes were made.</p>	<p>The provision still align with statutory and regulatory expectations.</p>

	<p>Part X <i>Miscellaneous Provisions</i></p>	<p>The review made the following changes to the Regulations:</p> <ol style="list-style-type: none"> 1. A minor change by inserting a new Regulation 61 (e) that enables licence applications and renewals through online and digitalized platforms. 2. Regulation 62 was slightly amended to allow for the application for General Authorisation through the processes outlined for other licences. 3. ‘General Authorisation’ was defined in Regulation 69. 	<p>This review and changes is to provide the regulatory clarity and will enable the Commission issue General Authorisation for services not yet covered by existing licences as well as deployment of regulatory sandboxes and Proof of Concept type of services and platforms. It also provides guide on use of online and digital platforms and interface for licence applications and renewal.</p>
	General Change	<p>The word ‘<u>Telecommunications</u>’ was replaced with ‘<u>Communications</u>’ across the document. .</p>	<p>This is to align with the expectations of the Nigerian Communications Act 2003.</p>