Guidelines on International Gateway Access and Voice over Internet Protocol (VoIP) Issued by the Nigerian Communications Commission

1. Background

(1) The Nigerian Communications Commission ("the Commission") has been granted powers under the Nigerian Communications Act 2003 ("the Act") to issue communications licenses for the operation and provision of communication services, and to determine the eligibility criteria and other general terms and conditions of licenses.

(2) Having given due consideration to the principles of transparency, fairness, non-discrimination and all other relevant principles, the Commission has decided to issue guidelines on Full Gateway and International Data Access (IDA) Gateway Licenses.

(3) It is the expectation of the Commission that the networks of licensees operating under Full Gateway and International Data Access Licenses may convey data, voice and video signals either in their natural forms or in digitized formats. Operators of these gateways may also inter-work and exchange information by using appropriate protocol and signaling conversion devices.

2. The IDA Gateway License

(1) An IDA License issued by the Commission shall be a stand alone license which shall be operated independent of other types of operating licenses.

(2) The issuance of an IDA License to any licensee would not qualify such a licensee for numbering pan allocation or frequency assignment except such as is necessary for long distance transmission.

(3) An IDA License will not be tied to any specific transmission medium for the purpose of conveying out-bound or in-bound traffic hence automatic authorization is herby given

to a licensee to deploy any transmission media. Such media shall include V-SAT, fibre, microwave, coaxial cable.

(4) All IDA licensees may provide bandwidth in small units to smaller operators such as cybercafés, small Internet Service Providers (ISPs) etc.

3. Conditions Precedent to the Issuance of IDA Licenses.

(1) Any licensee of the Commission who does not have a network shall not be eligible for an IDA License. Specifically, only operational licensees will be eligible for IDA Licenses.

(2) For purposes connected herewith, a licensee would be deemed to be an operational licensee only upon fulfillment of the under listed conditions:

(a) A customer base of at least 5000 connected subscribers or justifiable traffic volume
(b) A known and identifiable address and operational base
(c) Up to date payment of its annual operating levy (AOL)
(d) Submission of up to date audited accounts
(e) Up to date settlement of interconnection obligations.

4. Full Gateway License

(1) Towards achieving the objective of the Commission on Full Gateway Licenses, every Full Gateway Licensee shall be assigned an International signaling point code.

(2) In addition to the above, Full Gateway Licensees shall also continue to enjoy the ability to

(a) Transmit direct voice signals, and
(b) Deploy Time Division Multiplexing and IP transport protocols.

(3) However, in recognition of the fact that there is a limited number of signaling point codes assignable under ITU recommendations, the number of Full Gateway Licenses to be issued by the Commission further to these guidelines shall be limited.

5. Cost of Licenses

(1) Subject to the powers granted to the Commission to review terms and conditions of licenses generally, the Commission hereby determines the following license fees for IDA and Gateway Licenses:

(a)	Full Gateway License	=	**₦50 million**
	Validity Period	=	10 years
(b)	IDA License	=	**₦25 million**
	Validity Period	=	10 years

6 Status of Existing Operators

(1) Under the terms and conditions of existing Digital Mobile Licenses (DML), operators of such licenses may only carry traffic generated from their own networks.

(2) Any DML Operator desirous of carrying third party traffic through the upgrade of its international access authorizations, must apply for, and be issued with a gateway license to reflect the new status.

(3) The issuance of an upgraded gateway license to desiring DML Operators shall be precedent upon the payment of additional license fee of ₦25 million.

(4) An operator who has been issued an International V-SAT License will be upgraded to IDA License and may continue to render services within the scope of operation of that license until its expiration.

(5) Consequent upon the above, the Commission henceforth shall discontinue the issuance of V-SAT License (domestic/international).

(6) Organizations that have private national networks are free to implement VoIP over such networks.

7. Interconnection of Gateway to PSTN

(1) Every operator of a Gateway License has the right to interconnect and remain interconnected with the PSTN.

8. Special IDA Permits

(1) International organizations whose membership include Nigeria may be authorized to implement VoIP on their data networks PROVIDED that such organizations may not carry third party traffic (voice or data) and their network equipment will be subject to type approval, inspection and monitoring by the Commission.

(2) Any International organization that has an existing private data only global area network will be allowed to carry voice traffic using VoIP technology.

(3) Non-governmental and multinational organizations that have existing leased international data circuits are permitted to carry voice over such circuits (VoIP) subject to the agreement reached with the network carriers.

(4) All other international bodies or private companies should subscribe to the services of licensed operators.

9. Definitions

In these guidelines

Full Gateway – is an interface switch with its associated equipment with capability for protocol conversion and which can be used to link a telecommunication network in Nigeria with those of other countries. Information exchange is based on circuit-switched technology and makes use of international signaling point code as a means of identification in the SS7-based global signaling network.

International Data Access Gateway – is a soft switch that performs interface functions for the purpose of linking data networks in Nigeria to the global Internet highway or other managed IP-based international networks. Information exchange is based on packet-switching (IP) technology while making use of IP address as a means of identification.

VoIP (Voice over Internet Protocol) – any reference to Voice over IP includes the carriage of Voice signal by means of any packet-oriented transport protocol or data circuits such as Voice over Frame Relay, Voice over WiFi, Voice over Wimax, Voice over ATM, etc.