



SUMMARY OF THE COMMISSION'S COMPLIANCE MONITORING AND ENFORCEMENT ACTIVITIES FOR QUARTER TWO (2). 2015

INTRODUCTION

Consistent with section 89 of the Nigeria Communications Act 2003 which mandates the commission to monitor all significant matters relating to the performance of all the licensed telecoms service providers, the compliance Monitoring and Enforcement Department has in Q2 2015, carried out some monitoring and enforcement activities to prosecute the above mandate and achieve the commission's objectives of promoting fair competition, ethical market practices and optimal quality of service in Nigerian telecoms industry.

1. COMMISSION SANCTIONS MOBILE NETWORK OPERATIONS FOR SALES OF PRE-REGISTERED SIM CARDS

The Commission has sanctioned four (4) mobile network operators, namely MTN, Airtel, Globacom and EMTS for sales of pre-registered SIM cards during the period. Details of the respective sanctions are:

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| i. | MTN | ₦7,000,000.00 (Seven Million Naira) |
| ii. | Airtel | ₦5,600,000.00 (Five Million, Six Hundred Thousand Naira) |
| iii. | Globacom | ₦6,400,000.00 (Six Million, Four Hundred Thousand Naira) |
| iv. | EMTS | ₦6,200,000.00 (Six Million, Two Hundred Thousand Naira) |

The sanctions were in the accordance with the provision of the NCC telephone Subscribers Registration Regulation, 2011.

2. MEETING WITH STAKEHOLDERS TOWARDS ADDRESSING THE CHALLENGES OF SIM CARD REGISTRATION IN THE COUNTRY

As part of the strategy towards addressing the issue SIM card registration in the country, the Commission held a meeting with stakeholders on Thursday, 11th June, 2015 in Lagos. All Mobile Network Operators and their Know-your-customer (KYC) partners were represented.

The following were part of the resolutions at the meeting.

- i. That all SIM cards without Revenue Generating Event (RGE) should be placed on “receive only” within 48hrs after activation;
- ii. That mobile network operators should mop up all pre-registered SIM Cards from the market nationwide within 21 days from the date of the meeting
- iii. That at the expiration of 21 days, the MNO will be sanctioned for every pre-registered SIM card the Commission purchase in accordance with the provisions of the Telephone Subscribers Regulations, 2011.

3. MTN SANCTIONED FOR FAILURE TO OBTAIN REGULATORY APPROVAL FOR MTN BEST 11 & MTN SPECIAL NUMBER PROMOTIONS

The Commission sanctioned MTN Nigeria Communications Limited at a total sum of ₦7,000,000.00 (Seven Million Naira) for failure to obtain regulatory approval before launching the MTN Best 11 and MTN Special number promotions contrary to section 4 of the Commission’s Guidelines on Advertisement and promotions.

4. COMMISSION SANCTIONS MTN FOR UNAPPROVED SUPER SAVER + PROMOTIONS

MTN Nigeria Communications Limited was sanctioned the sum of ₦3,000,000.00 (Three Million Naira) for including unapproved feature in the MTN Super Saver + promotion. In addition, the Commission directed that the promo under reference should be stopped.

5. SANCTION ON MTN I PULSE TRAIFFF PLAN

As part of the Commission’s effort towards ensuring fair competitions and ethical practices in the industry, MTN was sanctioned the sum of ₦5,000,000.00 (Five Million Naria) for non-compliance with the Mobile Termination Rate (MTR) regarding its I Pulse tariff plan.

6. AIRTEL NETWORKS LIMITED SANCTIONED FOR UNAPPROVED AIRTEL TRYBE AND TALK ON TARIFF PLAN

Following a compliance check carried out by the Commission on various tariff plans by network operators, it was discovered that Airtel Networks Limited has included some unapproved features but Airtel failed to comply to the direction. Consequently Airtel was sanctioned the sum of ₦5,000,000.00 (Five Million Naria) as administrative fine for this violation.

In the same vein, Airtel was also sanctioned the sum of ₦5,000,000.00 (Five Million Naira) as administrative fine for the unapproved Talk On Tariff plan. The Commission had directed Airtel to withdraw the tariff but failed to comply.

7. COMMISSION DIRECTS AIRTEL NETWORKS ON UNSOLICITED MESSAGES,

The Commission has been inundated with consumer complaints regarding unsolicited messages from the mobile networks. Following these complaints, the Commission increased its compliance check on unsolicited messages and investigated a compliant field against Airtel Networks. The following short codes; 4040, 5820, 55223,030367, 54920, 5836, 227736 and 77011 outside the 8am to 8pm time window approved by the Commission.

The Commission investigated the complaint and based on its findings directed Airtel Networks Limited to opt out the compliant from receiving these unsolicited short code messages and also place the complainant on the do-not-disturb list. Airtel has since complied with the directive.

8. MAINONE CABLE COMPANY SANCTIONED FOR ILLEGAL UTILIZATION AND DEPLOYMENT OF MICROWAVE FREQUENCY LINK

The Commission on 16th May, 2015 sanctioned MainOne Cable Company Ltd the sum of ₦270,900,000.00 (Two Hundred and Seventy Million, Nine Hundred Thousand Naira) for illegal and unauthorized deployment of Microwave links.

9. KONGA AND JUMIA DIRECTED TO STOP THE ADVERTISEMENT AND SALES OF NON-TYPE-APPROVED HANDSET

Following a compliance check carried by the commission on type approved handheld devices/mobile sets, it was discovered that Konga and Jumia were advertising phone models such as Lenovo, Innjoo, Tuoda and Asus. These devices had not been type approved by the Commission before they were sold in the Nigerian Market.

Consequently, the Commission directed Konga and Jumia to stop the advertisement and sales of these devices until they obtain the necessary approvals.

10. COMMISSION'S INTERVENTION REGARDING REVOCATION OF APPROVAL OF MTN NIGERIA COMMUNICATION BASE TRANSFER STATION (BTS) SITES LOCATED WITHIN THE NIGERIAN ARMY FORMATIONS

The Commission's attention was drawn by MTN Nigeria Communications Limited to the directive by the Nigerian Army Headquarters' to remove its BTS sites within its formations across the country following failure to agree on new rates applicable for hosting these infrastructure at the military formations nationwide.

Having considered the likely impact of the removal of these telecommunication infrastructure on quality of service and national security, the Commission brokered a tripartite meeting with the Nigeria Army and MTN Nigeria on May 29, 2015.

Following the Commission's intervention, an agreement was secured from the Nigeria Army to continue to grant access to all MTN and HIS BTS sites within their formations, while the parties conclude a mutually acceptable rate.