

NATIONAL COMMUNICATIONS AUTHORITY



TELCOS SANCTIONED GHC34 MILLION FOR FAILING QUALITY OF SERVICE TESTS

Issued by the National Communications Authority,

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Accra, 21st November, 2018 - The National Communications Authority (NCA) has sanctioned all four Mobile Network Operators (MNOs); AirtelTigo, Glo, MTN and Vodafone for their non-compliance with various Quality of Service (QoS) requirements. The four have been fined a total of **GHC34,065,000.00** – AirtelTigo (GHC11,635,000.00), Glo (GHC4,460,000.00), MTN (GHC9,080,000.00) and Vodafone (GHC8,890,000.00). The NCA regularly undertakes QoS Monitoring to determine MNOs' compliance with their licence conditions and to ensure that consumers receive the quality service they have paid for.

In the first quarter of this year (2018), the Authority undertook QoS monitoring of all MNOs in the Greater Accra, Eastern, Western, Northern Regions and two districts in the Ashanti Region in the phase one of a nationwide monitoring exercise. The monitoring enabled the Authority to determine the MNOs which were unable to meet their Licence Key Performance Indicators (KPIs) in some District Capitals with regards to QoS; Obligations for Coverage, Data, Voice and Speech Quality.

As has been the practice, the NCA subsequently held reconciliation meetings with all four (4) MNOs and they were given three (3) months ending 21st August, 2018 to cure the infractions detected. At the end of the deadline, the NCA embarked on a follow up monitoring to ascertain if the QoS infractions recorded had been resolved.

This follow up monitoring revealed that though the KPIs in some District Capitals had improved, the MNOs were not able to meet the KPI thresholds as per their licences. The NCA as a result has sanctioned the MNOs.

It should be noted that although Voice and Data quality and Coverage obligations were tested, these sanctions are focused on only Voice Services.

Legal Basis for Penalties

The NCA, per its regulatory mandate, applies sanctions using the following:

1. Licence for Mobile Cellular Operations in Ghana Schedule of Penalties (Gazetted in 2011) that, “failure to meet any of the QoS obligations in Annex D1” of the Mobile Cellular Licence shall attract a penalty of GHC50,000 per QoS parameter.
2. Clause 6 (under Annex A) of the 3G licence states that “the Authority shall issue directives and sanctions in resolving or failing to meet any Quality of Service Requirement”.
3. Clause 6.1 (under Annex A) of the 3G licence indicates that “failure to achieve or maintain any of the QoS parameters exceeding three (3) days shall attract a penalty of GHC10,000 per day per locality, for the period of time during which the violation occurred as independently verified by the Authority”.

Computation of Sanctions

The NCA has computed the sanctions using the following:

1. *Mean Opinion Score (MOS)* - MOS sanctions were based on the number of days of infraction using Clause 6.1 (under Annex A) of the 3G licence.
2. *Call Set Up Time* –per the conditions of the Licence for Mobile Cellular Operations applied on Regional basis
3. *Call Completion Rate* - per the conditions of the Licence for Mobile Cellular Operations applied on Regional basis

Deadline for Payment of Fines

The MNOs must pay the fines within 30 days failing which Section 83 (2) of the Electronic Communications Act, 2008 (Act 775) will be applied. The Section provides that “a person who fails to pay a fee, penalty or other levy payable to the Authority within the stipulated time is liable to pay the Authority a fine of a one and half percent of the amount due for each month or part of a month after the stipulated time that the fee, penalty or other levy remained unpaid”.

Status of QoS Monitoring in other Regions

The NCA is currently undertaking a second monitoring to re-evaluate the performance after the initial QoS monitoring for the remaining five (5) Regions, that is, Brong Ahafo, Volta, Upper East, Upper West, Central Regions and the remaining district capitals that were not tested in Q1 in the Ashanti Region.

Conclusion

The NCA will continue to undertake its regulatory duties with the consumer at heart. These punitive measures are intended to encourage the MNOs to adhere to the Quality of Service parameters as set out in their licence conditions, which will in turn result in an improved service experience for the consumer.

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Editor's Note

About NCA

The National Communications Authority, (NCA), was established by an Act of Parliament, Act 524 in December 1996, which has been repealed and replaced by the National Communications Authority Act, 2008 (Act 769). The Authority is the statutory body mandated to license and to regulate electronic communication activities and services in the country.