

6 April 2022



## Online Content Regulations Overhauled

- Categories of licences changed
- Mainstream media licensees exonerated from obtaining licences
- Provision of technical description of facilities not required
- Internet café operators relieved from certain obligations
- Licence fees reduced
- List of prohibited contents reviewed

In a bid to ensure proper regulation and monitoring of online services in Tanzania, the Minister for Information, Communication and Information Technology has amended the Electronic and Postal Communications (Online Content) Regulations, GN. No. 538 of 2020 via GN No. 136 of 2022 which came into force on 18 March 2022.

In so far as licensing is concerned, the Amendments introduce two categories of licence as opposed to the previous Regulations which had four categories. It is worth noting that the old categories of Online Content Licences were Online Content for News Content, Education Content, Religious Content and Entertainment Content. In the Amendments, the categories have been reduced to only two, namely Online Media Service Category A which includes online content services; and Online Media Services Category B which includes content aggregation.

The Amendments define online media services as online content services provided for the purpose of news and current affairs in a manner similar to, or in a manner that resembles service providers licensed under the Act. An online content aggregator has been defined as a content service provider who collects content from different sources and packs the content into baskets of channels for the purpose of being accessed by users for free or upon payment of a prescribed fee.

The Amendments exempt mainstream media licensees from obtaining Online Media Services Licences for simulcasting or re-publication of contents through the internet.

Previously, an applicant for any content licence was required to provide, among others, technical description of the facilities used by such an applicant. This requirement has now been abolished in addition to removal of the obligation for Licensees to establish policy or guidelines on online content safe use and making the same available to online content users.

Moreover, the changes brought by the Amendments include relieving internet café operators from a number of obligations, including installation of surveillance camera; assignment of static public IP addresses to all computers used; keeping of proper service user register; and having mechanisms to filter access to prohibited contents which were hard for café operators to comply with.

Furthermore, the Amendments substantially reduce the Online Media Services Licence fees. The reduction includes removal of initial licence fees and material reduction of application, annual and renewal fees.

For further information on legal updates please contact:

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### About FB Attorneys

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We cover all aspects of the law and specialise in all corporate and commercial matters including Mining, Oil & Gas, Tax, Litigation, Competition, Banking & Intellectual Property law.

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The Amendment has also excluded contents that promote gambling and similar activities such as bets and lottery from the list of prohibited contents.

To read the Electronic and Postal Communications (Online Content) (Amendment) Regulations, GN. No. 136 of 2022 [click here](#)

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