

Postal and Telecommunications (Quality of Service) (Amendment)
Regulations, 2024 (No. 1)

IT is hereby notified that the Minister of Information Communication Technology, Postal and Courier Services, has, in terms of section 99 of the Postal and Telecommunications Act [*Chapter 12:05*], made the following regulations:—

1. These regulations may be cited as the Postal and Telecommunications (Quality of Service) (Amendment) Regulations, 2024 (No. 1).

2. The Postal and Telecommunications (Quality of Service) Regulations, 2016, published in Statutory Instrument 42 of 2016 (hereinafter called the principal regulations), are amended in section 2 by—

(a) the repeal of the following definitions—

““warning cell”;

“faulty cell”;

“grace period”;

“key performance indicators”;

“Quality of Service”;

(b) the insertion of the following definitions—

““faulty cell” means a cell that fails to meet targets for any set of Key Performance Indicators (KPIs), prescribed in these regulations;

“key performance indicator(s)” means a set of standards or metrics, that are used to determine the performance of a network, with respect to an attribute or functionality;

“Quality of Service (QoS)” means the totality of characteristics of a postal or telecommunication service that bear on its ability to satisfy stated and implied needs of the user of the service;”.

3. Section 9 of the principal regulations is amended by the repeal and substitution of the following—

“Enforcement measures

9. (1) The Authority shall enforce performance based on the KPIs outlined in the Seventh Schedule to these regulations.

(2) The Authority shall issue a first warning to a licensee where a licensee fails to rectify a faulty cell within a minimum of 15 days in a 30-day assessment period.

(3) Where a faulty cell referred to in subsection (2) is not rectified for at least a further 15 days, the Authority shall issue a second warning to a licensee that fails to rectify such a faulty cell, whether the two 15-day periods within which a cell is in faulty are aggregated consecutively or cumulatively within a 60-day period.

(4) Where a faulty cell referred to in subsection (3) is not rectified or exists for at least a further 15 days, the licensee shall be liable to a penalty as provided in the Seventh Schedule.

(5) A licensee shall submit performance measurement files to the Authority at intervals of one hour after their generation, in the manner and format as may be required by the Authority.

(6) The Authority shall process the performance measurement files and produce QoS reports, on a monthly basis, within the first week of the following month.

(7) Without prejudice to such other enforcement measures as are or may be contained in the Act, where a licensee contravenes or fails to comply with any of the key performance indicators set out in these regulations, or fails to resolve any consumer complaint within the resolution-time stated in these regulations, the Authority shall take one or more of the following enforcement measures—

- (a) require the licensee to submit to the Authority information about the causes of non-compliance to set standards on the relevant services; or
- (b) issue a warning notification directing the licensee to take remedial action within a specified period; or
- (c) issue directives including but not limited to directing a licensee to compensate consumers for poor quality of service; or

- (d) impose a fine as provided for in the Seventh Schedule;
- (e) exempt some cells from certain performance requirements based on deployment or operational circumstances.

(8) The period referred to in subsection (7) (b) may be extended by such period as may be determined by the Authority, upon consideration of written representations from the licensee.

(9) In imposing administrative fines as penalties, the Authority shall be generally guided by the severity of the contravention and the need to impose such penalty or the amount thereof, to act as deterrent both to the licensee who committed such contravention and other licensees.”.

4. The First Schedule of the principal regulations are amended by the insertion of the following parameters—

“FIRST SCHEDULE (*Section 6*)

QUALITY OF SERVICE STANDARDS FOR CELLULAR
TELECOMMUNICATION SERVICE

PARAMETER	DEFINITION	TARGET
Data Service Access Success Rate (DSASR)	Refers to the ratio of the number of successful data service access sessions (establishments) to the total number of data service access attempts made.	≥ 95 %
<i>No. of Successful Data Service Access Sessions</i> Data Service Access Success Rate [%] = $\frac{\text{Total Number of Data Service Access Attempts}}$ x 100 %		
Data Service Drop Rate (DSDR)	Refers to the ratio of the total number of abnormally released data service sessions, to the total number of successful data service access sessions (establishments).	≤ 2 %
Data Service Drop Rate [%] = $\frac{\text{Total Number of Abnormally Released Active Data Service Sessions}}{\text{Total Number the number of successful data service access sessions (establishments)}} \times 100 \%$		
Cell Availability/Uptime (CA)	Is the length of time in hours that a cell is available for service, expressed as a percentage of the observation period	≥ 67% (≥ 16 Hours/day)
Cell Availability (Uptime) = $\frac{\text{Number of hours a cell can respond to network probing attempts}}{\text{Total hours in day a (24 Hours)}} \times 100 \%$		
Minimum Downlink and Uplink Speeds for Mobile Cellular Data and Internet Services		

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Generation	Standard	Downlink Speed	Uplink Speed
4G		Minimum of 5Mbps	Minimum of 1Mbps
Data Reliability and Integrity			
KPI	Definition		Threshold
Data reliability and Integrity	The Reliability and Integrity Indicator (RI) for the OMC-R raw data, is calculated by evaluating the presence rate of the data supplied/delivered over the measurement period (the number of hours present compared to the number of hours in the month) and the consistency of network elements, or availability of network elements over the measurement period.”.		≥ 70%

5. The principal regulations are amended by the insertion of a new “Seventh Schedule” after “Sixth Schedule” as follows—

“SEVENTH SCHEDULE (Section 9 (3)(d))

BREACHES RELATING TO QUALITY OF SERVICE

Telecommunications Service Providers

Quality of Service Breach	Performance Indicators	Penalty in US\$ or equivalent in (ZiG)
1. Failure to meet QoS standards over a three-month Period (Penalty Cell)	-Call drop rate (CDR) -Call setup success rate (CSSR) -Cell availability (CA) -Data service access success rate (DSASR) -Data services drop rate (DSDR)	up to 200 per cell in breach
3. Failure to meet QoS Standards for SMS	-SMS End to End Delivery Time -SMS Delivery Success Rate	Up to 200.00 per cell in breach
4. Failure to meet QoS Standards for (Fixed) Data and Internet as prescribed or as contracted	Speed	Up to 5000.00 per infringement
5. Network outage for fixed Data and Internet	Network availability Core Network Availability Backbone Network availability / Access Network availability	5000.00 for outage exceeding 3 hours and up to 5000.00 for each additional hour thereafter
6. Failure to meet Quality of Service Standards for Interconnection links as prescribed	Interconnection route downtime	Up to 5000.00 per instance
9. Failure to submit network performance data	Data reliability	Up to 5000.00 per month”.

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