



MINUTES OF THE MEETING BETWEEN MACRA AND MISPA HELD ON 30TH JULY 2012 AT MACRA OFFICES, BLANTYRE

PRESENT (MACRA)

Lloyd Momba - Chairman.
Emily Khamula
Henry Silika
Patrick Musiyapo
Christopher Banda
Stan Chimgoga
Mercy Ndema
Tryness Kantedza
Tamanda Manyenje
Ivy Fossa - Secretary.

PRESENT (MISPA)

Dr. Paulos Nyirenda (MISPA Chairperson)
Mr. Anthony Muyepa (MISPA Vice Chairperson)

1.0 WELCOME REMARKS

The Chairman welcomes all members present on behalf of MACRA's Director General and thanked the Malawi Internet Service Providers Association (MISPA) for availing themselves for the meeting. He also emphasized the need for regular meetings to discuss issues that affect the ISP industry both from an operational and regulatory point.

2.0 OPENING PRAYER

The meeting was opened with a word of prayer offered by Tryness Kantedza.

3.0 ADOPTION OF AGENDA

The agenda was adopted as proposed with no amendments.

3.1 MISPA Mandate and Internet Exchange Point (ISP)

- MISPA informed the meeting that it was incorporated as an association on 28th April, 2006 under a certificate issued by the Ministry of Justice. The MISPA constitution from where the mandate is derived is publicly available online on the association's website www.mispa.org.mw .
- MISPA further reported that currently most if not all of the licensed ISP's are members of the association and that all deliberations and agreements of the periodic meetings are readily available for access on the association's website.
- With respect to the IXP, MISPA informed the meeting that there are four (4) additional agreements necessary for ISP's with respect to the IXP apart from just being association members. It was reported that currently there are 8 participants at the IXP and to maintain the aspect of neutrality, College of Medicine (COM) was agreed as a neutral venue to house the IXP and this arrangement is expected to be maintained for the foreseeable future.
- MACRA commended MISPA for the IXP initiative and the peering arrangement and stated that if all members of the association are agreeable to the arrangement then the status quo can be maintained.
- With respect to MACRA's query on MAREN and their proposed research activities and international gateway, MISPA clarified that membership to

the IXP is either through MISPA membership or through consideration on special grounds. Although some individual members have dual membership to both MAREN and MISPA, officially there has been no formal application from MAREN. MISPA will however continue to assist MAREN on any technical as and when necessary.

- MISPA further highlighted the fact that they have taken keen interest on the developments with respect to the RCIP project and that they are waiting for the results of the tender and will be willing to share their experience on the running of the IXP if the successful VLP operator will want to base their operations on an arrangement similar to the IXP model.

3.2 Internet and Data Service Provision

- MACRA briefed the meeting that there has been a general public outcry with respect to the provision of services by ISP's in Malawi. It has been noted that the advertising of services offered by ISP's is not tallying with the kind and quality of service provided.
- MACRA requested MISPA to consider discussing the issues of advertising especially for 3G and 4G services at their forums and encourage members to desist from sensational advertisements.
- MISPA informed the meeting that it is aware of the situation and agreed with MACRA's observations. However, MISPA informed the meeting that as an association, it can only advise its members on the issue but cannot take any definitive action.
- MISPA further informed the meeting that it has engaged the services of a consultant to research on 4G technologies and make a presentation to its members at one of its scheduled meetings in September 2012. MISPA then extended an invitation to MACRA to attend the said meeting and make a presentation on 4G technologies from the regulatory perspective.

- MISPA also requested MACRA to come up with guidelines and/or regulations to address service provision for internet and data services. MACRA agreed with the request and stated that it has established a Consumer Affairs unit within the Legal Services directorate to deal with all consumer complaints in the ICT sector.
- MACRA stated that the Consumer Affairs unit will soon embark on a sensitization campaign to educate the masses about their rights as consumers before they sign any Service Level Agreements (SLA's) with service providers.

3.3 ICT Statistics & Indicators

- MACRA briefed the meeting about the completion of the web based ICT indicators database that was initiated by the operators to facilitate easy and quick submission of ICT indicators data.
- MACRA noted that as much as Stakeholder consultations were done and finalized, not all ISP's are fully utilizing this service and therefore requested MISPA to sensitize their members through the normal association meetings.
- MISPA while acknowledging the need for the sensitization to its members proposed that MACRA should put in place a mechanism to formally approach the ISP's at an executive level to ensure commitment to the cause based on the difficulties experienced when a similar initiative for ISP data collection was carried out under the RCIP project.
- MACRA also indicated that it was undertaking a nationwide survey on ICT usage and although circumstances affected the survey, it is hopeful that the survey will be finalized and the findings will form the basis for a detailed ICT indicators report. It was further proposed that such surveys should in future incorporate the National Statistics Office (NSO) that is well versed with such data collection exercises.

3.4 Act Review and other Developments

- MISPA stated that they are aware of the on-going Communications Act review process being coordinated by MACRA (Act) and E-govt (E-legislation) but indicated that they have not discussed the proposals in the revised Act as an association.
- MISPA indicated that they will be having their next meeting in September, 2012 and requested MACRA to send the copies of the revised Act for their discussions.
- MISPA also noted the challenges in having the Act and E-legislation coordinated by separate entities to which MACRA responded that there is no problem with the arrangements as long as the overall control and supervision of the processes is transparent and that stakeholder consultations are all encompassing.

4.0 ANY OTHER BUSINESS (AOB)

4.1 ISP Levy

- MACRA requested an update from MISPA having observed that almost all ISP's do not honor their licence commitments in terms of the 5% levy that is supposed to be paid to MACRA by ISP's at the end of their financial year.
- MISPA responded that the issue was discussed at a MISPA forum where MACRA was represented. It was therefore noted that a number of issues that were supposed to have been done by both sides as agreed at that meeting have not been done.

- MACRA therefore requested a copy of the minutes of that meeting from MISPA to check on the agreements and chart the way forward on the issue of levy.

4.2 World Congress on International Telecommunications (WCIT)

- MISPA wanted an update on the preparations for the WCIT and the status of the national position taken based on the agenda expected to be discussed at the WCIT meeting to be held in Dubai in December, 2012.
- MACRA informed the meeting that it is aware of the meeting and that it had representation at the preparatory meeting for the region held in South Africa where regional positions on the conference agenda items were taken.
- MISPA indicated that the meeting will highly affect the operations of ISP's and wanted a national position discussed before the conference.
- MACRA assured MISPA that as is the case with all international conferences, MACRA will organize a one day Stakeholder conference to prepare and agree on Malawi national position before the conference in December.

4.3 Country Code Top Level Domain (CCTLD)

- MACRA wanted to find out the position of MISPA with respect to the CCTLD administration currently being handled by SDNP Malawi.
- MISPA indicated that indeed the CCTLD especially the registration of domain names is still being coordinated by SDNP. However, plans are underway to decentralize the system and move to multiple registrars by deploying EPP.

- MISPA expects that the decentralization process will not in any way change the governing policy but will greatly improve the administration of the CCTLD and consequently push the registration prices down by opening up .mw domain registration to competition on multiple registrars using EPP.
- MACRA stated that it is within the regulatory mandate to control the CCTLD and will look at the upcoming e-legislation to incorporate the issue and have clear governing policy for the CCTLD.

Finally, MACRA queried MISPA if there is any working relationship with the ICT Association of Malawi (ICTAM) to which MISPA indicated that there is no formal working agreement between the two associations but there are some individuals who hold dual membership for the two organizations. MACRA encouraged the associations to always look at working together since they both push the national ICT agenda with the aim of improving the socio-economic development of the country.

5.0 CLOSING REMARKS

Having no any other business to discuss, the Chairman thanked MISPA and all members present for attending the meeting. He further reminded members from both sides to expedite on the outstanding issues that need to be resolved.

The meeting was then closed with a word of prayer offered by Henry Silika.

SIGNED

Lloyd Momba (MACRA)

Dr. Paulos Nyirenda (MISPA)