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## GENERAL NOTICE

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NOTICE 1422 OF 2008



### INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

GENERAL NOTICE ON LICENCE CONVERSION IN TERMS OF  
SECTION 93 OF THE ELECTRONIC COMMUNICATIONS ACT, 2005  
(ACT NO. 36 OF 2005)

### SCHEDULE 1

#### CONVERSION OF VALUE ADDED NETWORK SERVICES LICENCES TO ELECTRONIC COMMUNICATIONS NETWORK SERVICES.

1. The Independent Communications Authority of South Africa ("the Authority") hereby gives notice that it has resolved to convert all Value Added Network Services ("hereinafter referred to as VANS") Licences to both Electronic Communications Services (hereinafter referred to as ECS) Licences and Electronic Communications Network Services (hereinafter referred to as ECNS) Licences in terms of section 93 of the Electronic Communications Act (No 36 of 2005) (hereinafter referred to as the Act).
2. The Authority hereby invites written representations from the interested parties on the proposed process for converting VANS licences into ECNS licences.

### **3. PROPOSED FRAMEWORK IN TERMS OF SECTION 93 (3) OF THE ACT FOR CONVERTING VANS LICENCES TO ECNS LICENCES.**

3.1 The Authority will convert all VANS licences, including licences granted after 19 July 2006 to ECNS licences.

3.2 The Authority will require the following information to be submitted in terms of Section 93 (3) (c) of the Act together with the written representations to the proposed framework.

- (i) Full name of the Licensee;
- (ii) Shareholding details of the Licensee expressed in percentages;
- (iii) Details of ownership by historically disadvantaged individuals expressed in percentages;
- (iv) Full Names, telephone and cell phone numbers of the contact persons;
- (v) Postal and Physical addresses of the licensees;
- (vi) Whether the Licensee prefers to be converted to Class or Individual ECNS;
- (vii) The Licensees are required to indicate proposed Geographic Coverage Area, whether they intend providing electronic communications network services of national or provincial scope and specify areas to be covered;
- (viii) Proposed obligations in terms of section 93 (4) (b) of the Act:
  - (a) Licensees should undertake to commence with the rollout of network within 12 months of the licence being issued.

- (b) Licensees must submit a comprehensive technical plan, including propagation analysis, for the purpose of Authority's monitoring and information.
- (c) Licensees are required to indicate voluntary obligations on how they intend to contribute to social and economic development of the Republic of South Africa.

3.3 The draft ECNS licence is annexed hereto as **Annexure A and B**.  
Written representations are also invited in respect of the proposed draft licence.

3.4 The Authority proposes the following timeframe for conversion of VANS to ECNS:

Activity	Timeframe
Closing Date for Comments on Framework and Draft Licence.	<b>5 December 2008</b>
Issue all Final Converted Licences	<b>Before 19 January 2009</b>

Written representation on the proposed framework for conversion of VANS into ECNS licences, proposed draft ECNS licence and information required in terms of

paragraph 1 (3) (c) above must be submitted to the Authority by 12H00 on 5 **December 2008** by fax or email to:

Mr Bruce Mkhize

Project Leader

Fax: (011) 566 3184 or (011) 566 3188

Email: [bmkhize@icasa.org.za](mailto:bmkhize@icasa.org.za) and copy [bpaxinos@icasa.org.za](mailto:bpaxinos@icasa.org.za)

Or

Hand delivered at  
Block D,  
Pinmill Farm  
164 Katherine Street,  
Sandton.

**PARIS MASHILE**  
**CHAIRPERSON**  
**ICASA**

**Annexure A**

**DRAFT INDIVIDUAL ELECTRONIC COMMUNICATIONS NETWORK SERVICE  
LICENCE**

**No. [       ]**

**GRANTED**

**TO**

**XXXXXXX**

**FOR THE PROVISION OF**

**ELECTRONIC COMMUNICATIONS NETWORK SERVICES**

**SIGNED FOR AND ON BEHALF OF THE INDEPENDENT COMMUNICATIONS  
AUTHORITY OF SOUTH AFRICA**

**AT .....ON THIS.....DAY OF .....**

\_\_\_\_\_  
**Chairperson**

**1. LICENSEE**

The Licence is issued to:

1.1 Name of Company/Entity:

1.2 Shareholders (where applicable):

1.3. Ownership held by persons from historically disadvantaged groups (where applicable):

**2. CONTACT DETAILS**

2.1. The contact person for the Licensee shall be:

2.1.1. Name:

2.1.2 Tel:

2.1.3 Fax:

2.1.3 Cell:

2.1.4 Email:

2.2 Should the Licensee propose to replace the person so designated, the Licensee shall notify the Authority in writing within seven (7) days after appointing the new designated person.

**3. NOTICES AND ADDRESSES**

The Licensee chooses the following addresses as its principal addresses:

3.1. Postal Address:

3.2. Physical Address:

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**ANNEXURE B****1. Trading Name**

*The licensee will be required to indicate its trading name*

**2. Geographic Coverage**

*The Licensees will be required to indicate proposed Geographic Coverage Area, whether they intend providing electronic communications network services of National or Provincial scope and specify Provinces to be covered;*

**3. Proposed Obligations**

- 1. Licensees should undertake commence with the rollout of network within 12 months of the licence being issued.*
- 2. Licensees must submit a comprehensive technical plan, including propagation analysis, for the purpose of Authority's monitoring and records.*
- 3. Licensees are required to indicate voluntary obligations on how they intend to contribute to social and economic development of the Republic.*

## **ANNEXURE C**

### **List of Licences**