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## GENERAL NOTICE

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### NOTICE 1579 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 of its intention to convert all Value Added Network Services ("VANS") licences to Electronic Communications Services ("ECS") licences and Electronic Communications Network Services ("ECNS") licences in terms of section 93 of the Electronic Communications Act (No 36 of 2005) ("the Act").
2. **PROPOSED FRAMEWORK IN TERMS OF SECTION 93 (3) OF THE ACT FOR CONVERTING VANS LICENCES TO ECS AND ECNS LICENCES.**
  - 2.1 The Authority intends to convert all VANS licences, including licences granted after 19 July 2006 to ECS and ECNS licences.
  - 2.2 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 and breakdown of ownership by historically disadvantaged individuals expressed in percentages;
- (iv) Full Names, e-mail address, fax, telephone and cell phone numbers of the contact person;
- (v) Postal and Physical addresses of the licensees;
- (vi) Whether the Licensee prefers to be converted to Class or Individual ECS and/or ECNS;
- (vii) The Licensees are required to indicate proposed Geographic Coverage Area, whether they intend providing electronic communications services and electronic communications network services of national or provincial scope and specify areas to be covered; and
- (viii) Proposed obligations in terms of section 93 (4) (b) of the Act:
  - (a) Licensees should undertake to commence with the roll-out of network within 12 months of the licence being issued in terms of the Standard Terms and Conditions Regulations.
  - (b) Licensees must undertake to submit, two months before the commencement of the network roll-out, a comprehensive roll-out plan for the purpose of Authority's monitoring and records.
  - (c) Licensees may indicate voluntary obligations on how they intend to contribute to social and economic development of the Republic of South Africa.

2.3 The final ECS and ECNS licences are annexed hereto as **Annexure A and B** schedule 2.

2.4 The Authority has also decided on the following time-frames for the conversion of VANS to ECS and ECNS:

| Activity  | Timeframe                     |
|---|-------------------------------|
| Date for the submission of required information by VANS | <b>06 January 2009</b>        |
| Issue all Final Converted Licences                      | <b>Before 19 January 2009</b> |

2.5 The required information must be submitted to the Authority by 12h00 on 06 January 2009 by fax or email to:

Mr Ashwald Nchabeleng

Project Leader

Fax: (011) 566 3662 or (011) 566 3188

Email: [dnchabeleng@icasa.org.za](mailto:dnchabeleng@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**

**SCHEDULE 2**

**Annexure A**

**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 .....**

\_\_\_\_\_  
**Paris Mashile**  
**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:

2.1.4 Cell:

2.1.5 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:

**ANNEXURE B**

**INDIVIDUAL ELECTRONIC COMMUNICATIONS SERVICE LICENCE**

No. [       ]

**GRANTED**

**TO**

**XXXXXXX**

**FOR THE PROVISION OF**

**ELECTRONIC COMMUNICATIONS SERVICES**

**SIGNED FOR AND ON BEHALF OF THE INDEPENDENT COMMUNICATIONS AUTHORITY OF  
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**AT .....ON THIS.....DAY OF .....**

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**Paris Mashile  
Chairperson**

**1. LICENSEE**

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1.1 Name of Company/Entity:

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**3. NOTICES AND ADDRESSES**

The Licensee chooses the following addresses as its principal addresses:

3.1. Postal Address:

3.2. Physical Address:

**1. Trading Name**

*The licensee is required to indicate its trading name*

**2. Geographic Coverage**

*The Licensees are required to indicate proposed Geographic Coverage Area, whether they intend providing electronic communications services and electronic communications network services of National or Provincial or District scope and specify Provinces or Districts or Municipal areas to be covered.*

**3. Proposed Obligations**

- 1. Licensees should undertake to commence with the roll-out of network within 12 months of the licence being issued taking into consideration the provisions of the Standard Terms and Condition Regulations.*
- 2. Licensees should undertake to submit, two months before the commencement of network roll-out, a roll-out plan for the purpose of Authority's monitoring and records.*
- 3. Licensees may indicate voluntary obligations on how they intend to contribute to the universal service and access to communication services in the Republic.*