

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

NO. 1270

21 DECEMBER 2015

**Independent Communications Authority of South Africa**

Pinmill Farm, 164 Katherine Street, Sandton

Private Bag X10002, Sandton, 2146

APPLICATION BY SMART VILLAGE FOR THE TRANSFER OF CONTROL OF ITS INDIVIDUAL ELECTRONIC COMMUNICATIONS SERVICE (I-ECS) LICENCE AND INDIVIDUAL ELECTRONIC COMMUNICATIONS NETWORK SERVICE (I-ECNS) LICENCE FROM MULTICHOICE SOUTH AFRICA (PTY) LTD TO MTN SA (PTY) LTD

1 The Independent Communications Authority of South Africa (**"the Authority"**) was established in terms of section 2 of the Independent Communications Authority Act, 13 of 2000 (**"ICASA Act"**), as amended

2 Application

2.1 On 05 November 2015, the Authority received an application from Smart Village (Pty) LTD (Smart Village) – a wholly owned subsidiary of Multichoice South Africa (Pty) LTD (Multichoice) - for the transfer of control of its I-ECS and I-ECNS licences from Multichoice to MTN SA (Pty) LTD.

2.2 The Application is made in terms of section 13 read with section 9 (2) to (6) of the Electronic Communications Act, 36 of 2005 ("ECA"), as amended.

2.3 Applications submitted to the Authority are;

2.3.1 Smart Village Proprietary Limited ("Smart Village"), I-ECS licensee 0298/IECS/MAR/09 applied to transfer 100% of control of ownership of its I-ECS licence to MTN SA Proprietary Limited ("MTN").

2.3.2 Smart Village Proprietary Limited ("Smart Village"), I-ECNS licensee 0298/IECNS/MAR/09 applied to transfer 100% of control of ownership its I-ECNS licence to MTN SA Proprietary Limited ("MTN").

2.4 Section 9 (2) (a) of the ECA states that the Authority "*must give notice of the application in the gazette and invite interested persons to apply and submit written representations in relation to the application within the period mentioned in the notice*".

3 Process

3.1 The Authority hereby calls upon any interested person to submit written representations to the application by Smart Village for the transfer of control of its I-ECS and I-ECNS licences by **4pm (SAST) on Wednesday 27 January 2016.**

3.2 The Application, and any representations received pursuant thereto will be made available and open for inspection by interested parties in the Authority's website and library, during office hours.

3.3 Any person who submits written representations must indicate whether they require an opportunity to make oral representations in the event that the Authority opts to hold public hearings.

4 Any written representations, response and related correspondence in terms hereof, must be directed to:

The Independent Communications Authority of South Africa (ICASA)

FOR ATTENTION: Ms Refiloe Motsoeneng

Project Manager: Market Consolidations

Block A, Pinmill Farm

164 Katherine Street

Sandton

Or sent by fax to no: 011 566 3214

Or by e-mail to: RMotsoeneng@icasa.org.za and

MarketConsolidations@icasa.org.za

- 5 Any person who submits written representations in terms hereof must at the time of submission, furnish proof to the satisfaction of the Authority that a copy of the written representations has been delivered as follows:

Smart Village (Pty) Ltd

FOR ATTENTION: Mr Chris Oberholzer

Centurion Gate

Cnr John Vorster & Akkerboom Street

Centurion

Or send by **registered post**: Postnet Suite 422, Private Bag x108, Centurion 0046

Or send by **fax no**: 012 679 3401

Or send via **e-mail**: Chris.Oberholzer@multichoice.co.za

- 6 Smart Village is entitled to respond in writing to any written representations submitted on the Application. Smart Village is required to submit its written responses to the Authority if it so wishes within twenty-one (21) working days of the closing date for the submission of written representations by interested parties. Smart Village shall, at the time of submission of its written responses, furnish proof to the Authority's satisfaction that it has transmitted/delivered a copy of the response by hand, or has sent a copy of the response by registered mail or by facsimile or by e-mail to each of the interested parties that made written representations in response to the application.



Katharina Pillay

Acting Chairperson