
GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

NO. R. 286

28 FEBRUARY 2019



**END-USER AND SUBSCRIBER SERVICE CHARTER AMENDMENT
REGULATIONS IN TERMS OF SECTION 4 READ WITH SECTION 69(3) OF
THE ELECTRONIC COMMUNICATIONS ACT NO. 36 OF 2005, AS AMENDED**

I, Rubben Mohlaloga, Chairperson of the Independent Communications Authority of South Africa ("the Authority"), hereby publish the amendments to the End-User and Subscriber Service Charter Amendment Regulations, 2019.

RUBBEN MOHLALOGA
CHAIRPERSON

SCHEDULE

1. Definitions

In these regulations, "the 2019 Amendment" means the End-User and Subscriber Service Charter Amendment Regulations 2019 as published under Government Gazette Notice No. 42225 dated 12 February 2019.

2. Amendment of Short Title and Commencement of the 2019 Amendment

2.1. The Short Title and Commencement (Paragraph 5) of the 2019 Amendment is hereby amended by the substitution of the following:

"5.1 These Regulations shall be called the End-User and Subscriber Service Charter Amendment Regulations, 2019.

5.2 Subject to paragraphs 5.3 and 5.4 below, these regulations will come into force on 1 March 2019.

5.3 Regulations 8A(1), 8B(1)(a) and 8B(2) of the Regulations, as amended by these regulations, will come into force on 12 April 2019.

5.4. Paragraphs 4.2 and 4.3 of these regulations are suspended until 12 April 2019."

3. Short Title and Commencement

These Regulations shall be called the End-User and Subscriber Service Charter Second Amendment Regulations 2019 and will come into force on 1 March 2019.



THE INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

SUSPENSION OF THE EFFECTIVE DATE OF CERTAIN PROVISIONS OF THE 2019 AMENDMENTS TO THE END-USER AND SUBSCRIBER SERVICES CHARTER AMENDMENT REGULATIONS, 2018, NOTICE 233 OF GOVERNMENT GAZETTE 41613 PUBLISHED ON 7 MAY 2018

1. In terms of an out of court settlement reached between the Authority, Cell C Limited, MTN (Pty) Limited and Telkom SA SOC Limited, which was made an order of court, the End-User and Subscriber Services Charter Amendment Regulations, 2018 ("**Amendment Regulations**") will be effective at midnight on 28 February 2019.
2. Following additional consultations held between the Authority and some licensees, and in order to address the issues raised during the consultation, further amendments to the Amendment Regulations were published in Government Gazette No 42225 on 12 February 2019 ("**the First 2019 Amendment**"). These amendments will become effective on 1 March 2019.
3. Following the publication of the First 2019 Amendment, the Authority was requested to suspend the commencement of Regulations 8A(1), 8B(1)(a) and 8B(2) of the First 2019 Amendment in order to allow licensees to adapt their systems to be in position to comply with the aforementioned Regulations.

4. The Authority has decided to suspend Regulations 8A(1), 8B(1)(a) and 8B(2) of the First 2019 Amendment until 12 April 2019. It is for this reason that the Authority has had to amend certain provisions of the First 2019 Amendments ("**the Second 2019 Amendment**").

5. In the circumstances, prior to 12 April 2019, the provisions of Regulations 8A(1), 8B(1)(a), 8B(1)(c), 8B(1)(d) and 8B(2) of the Amendment Regulations will apply and the operation of paragraphs 4.2 and 4.3 of the First 2019 Amendment has been suspended until 12 April 2019.

6. Save for the specific Regulations suspended in the Second 2019 Amendment, the First 2019 Amendment will become effective on 1 March 2019.