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GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF COMMUNICATIONS DEPARTEMENT VAN KOMMUNIKASIE

No. R. 1251

28 November 2001

TELECOMMUNICATIONS ACT, 1996 (ACT No. 103 OF 1996)

REGULATIONS RELATING TO THE MANNER IN WHICH APPLICATIONS FOR CERTAIN TELECOMMUNICATION SERVICE LICENCES ARE TO BE MADE; THE PERIOD WITHIN WHICH APPLICANTS MAY MAKE CERTAIN REQUESTS; AND THE PERIOD WITHIN WHICH APPLICANTS MAY MAKE CERTAIN REPRESENTATIONS TO THE AUTHORITY

In terms of section 96(6) of the Telecommunications Act, 1996 (Act No. 103 of 1996), I, Dr. Ivy Matsepe-Casaburri, Minister of Communications hereby approve and publish the regulations in the Schedule made by the Independent Communications Authority of South Africa under section 96 of the said Act.

Dr. Ivy Matsepe-Casaburri
Minister of Communications

SCHEDULE

Definition

1. In this Schedule any expression to which a meaning has been assigned by the Telecommunications Act, 1996 (Act No. 103 of 1996) (hereinafter referred to as the Act), shall have the same meaning unless the context otherwise indicates.

Manner in which applications for certain telecommunication service licences are to be made (section 34 (1))

2. (1) An application for a telecommunications service licence, other than a telecommunication service licence contemplated in section 34(2)(a)(i) to (v) of the Act must:
 - (a) be made in writing;
 - (b) identify the applicant, and for this purpose:
 - (i) if the applicant is a natural person, the following information must be furnished:
 - (aa) the full names of the applicant;

- (bb) the identity number of the applicant;
 - (cc) the applicant's permanent residential address
 - (dd) the applicant's business address; and
 - (ee) the applicant's telephone and fax numbers.
- (ii) if the applicant is a juristic person, the following information must be furnished:
- (aa) business name and address, the telephone and fax numbers of the applicant, and where applicable, certified copies of all the founding documents of the applicant;
 - (bb) full names, business and residential addresses and the telephone numbers of each shareholder or member owning shares or interests exceeding five percent of the total shares or interests in the applicant;
 - (cc) the percentage of shares or interests of each shareholder or member owning shares or interests in excess of five percent of the total shares or interests in the applicant;
 - (dd) the number of shares or interests of each shareholder or member owning shares or interests in excess of five percent of the total shares or interests in the applicant;
 - (ee) the classes of shares or interests of each shareholder or member owning shares or interests in excess of five percent of the total shares or interests in the applicant; and
 - (ff) affiliated ownership interests of the applicant in other telecommunication licensees or entities which the applicant has the potential of competing with in South African telecommunications markets.
- (2) An application for a telecommunication service licence must contain information as to -
- (a) employment strategies related to women;
 - (b) the percentages of beneficial ownership by historically disadvantaged individuals; and
 - (c) the percentages of control by historically disadvantaged individuals.

- (3) An application for a telecommunication service licence must contain a full description of -
- (a) the service to be provided;
 - (b) the frequency spectrum requirements;
 - (c) the network; and
 - (d) the geographical area where the service will be provided, including relevant maps.
- (4) A detailed business plan for the service to be provided together with the projection of the market size, target groups and revenue for the first three years must accompany the application.
- (5) In respect of any telecommunications equipment to be connected to the public switched telecommunication network, a certificate of approval by the Authority of the telecommunications equipment to be used must accompany the application.

Period within which the applicant may request the Authority to furnish the applicant with reasons for its intended decision (section 35(1)(a)(ii))

3. (1) An applicant may not later than ten business days after the date of notification of the Authority's intended decision, request the Authority in writing to furnish the applicant with its reasons for such decision.
- (2) For the purposes of sub-regulation (1), the date of notification shall be deemed to be:
- (a) the date of delivery if the notification is delivered by hand at the applicant's address;
 - (b) the seventh business day following the date of posting if the notification is posted by way of prepaid registered post; or
 - (c) the date on which the facsimile was sent if the notification is transmitted by facsimile.

Period within which the applicant may make representations to the Authority in relation to the intended decision or recommendation (section 35(1)(b))

4. (1) An applicant may, not later than ten business days after the date of notification of the Authority's intended decision, make written representations in regard thereto.

(2) For the purposes of sub-regulation (1), the provisions of regulation 3(2) above shall apply with the necessary changes in relation to the date of notification.

No. R. 1255

28 November 2001

TELECOMMUNICATIONS ACT, 1996 (ACT NO. 103 OF 1996)

In terms of section 95(3) of the Telecommunications Act, 1996 (Act No. 103 of 1996), I, Dr. Ivy Matsepe-Casaburri, Minister of Communications, hereby approve the regulations in the Schedule made by the Independent Communications Authority of South Africa in terms of section 95(1) read with section 88(1) of the said Act.

Dr. Ivy Matsepe-Casaburri
Minister of Communications

SCHEDULE**1. Definition**

In this Schedule any expression to which a meaning has been assigned in the Telecommunications Act, 1996 (Act No. 103 of 1996) (hereinafter referred to as, "the Act"), shall have the same meaning unless the context otherwise indicates.

2. APPLICATION FEES FOR RADIO FREQUENCY SPECTRUM LICENCES, APPROVALS, CERTIFICATES OR REGISTRATIONS, AUTHORITIES AND STATION LICENCES (SECTION 88(1))

3. These regulations amend chapter six of the radio regulations made under the Radio Act, 1952 (Act No. 3 of 1952) by the insertion of the following schedule of application fees.

E 3 Application Fees**Type of Radio-Communications Services**

		FEES (Rand)
1.	Amateur Radio	
	(i) All classes of licenses (including CEPT Format)	140
	(ii) Beacon	100
	(iii) Change of call sign on request	100
	(iv) Guest or special event license	100
	(v) Listener	100
	(vi) Repeater station including radio link	100
	(vii) Digipeater/Bulleting Board	100
	(viii) Experimental station for weather satellite reception and retransmission	210
2.	Aeronautical	
	(i) Aircraft station	380
	(ii) Beacon	380
	(iii) Ground station	410
	(iv) Relay station	170
3.	Land Mobile Service	
3.1	Alarm station (see also item 5.1 for alarm systems)	210
3.2	General Base/Mobile	
	(i) Citizen band	210
	(ii) Civil Defence/Marnet	
	(a) Station without private frequency	210
	(b) Station with private frequency	620
	(iii) 27/29 MHz frequency band	
	(a) Station with one frequency channel	210
	(b) Station with more than one frequency channel (including station for use at sea and inland waters)	210
	(iv) Other	
	(a) Station with one single frequency channel	620
	(b) Station with more than one frequency channel	620
	(c) High frequency band:	
	(i) Cross Border	830
	(ii) Cross Border -- SADC	1,040
	(iii) Local HF	620
3.3	Experimental or test station	830
3.4	Load Management station (see also item 5.2)	830
3.5	Special radio service: Per licence	730
3.6	Telemetry Station	730

3.7	Payable by the South African National Defence Force, South African Police Services, Telkom SA Ltd, Eskom, and Transnet Ltd:	830
3.8	Radio link station	730
3.9	Radio link	730
4.	Maritime	
4.1	Beacon	180
4.2	Coast station:	
	(i) Non-commercial	480
	(ii) Commercial:	600
4.3	Ship station: Maritime frequency band	480
4.4	Ships operating on land mobile frequencies (See item 3.2(iii)(b))	580
5.	Radio-Communications Systems	
5.1	Alarm systems	980
5.2	Load management system	1,000
5.3	Message handling system	1,230
5.4	Paging system	1,430
5.5	Radio trunking:	
	Per frequency channel	275
5.6	Repeater system (communal and private):	1,100
5.7	"Pub games" radio systems:	380
5.8	Broadcasting band subcarrier system:	380
5.9	Video conference system	380
5.10	Microwave Multipoint Distribution Systems (MMDS)	400
5.11	Wide Area Network	1,660
5.12	Value-Added Network Services (VANs)	1,500
5.13	Private Telecommunications Network (PTN)	1,000

5.14	Digital Enhanced Cordless Telecommunication (DECT) system	420
5.15	Wireless Local Loop (WLL)	650
6.	Satellite	
6.1	Fixed satellite earth station (Uplink)	1,600
6.2	Transportable satellite news gathering station	1,460
6.3	Global Mobile Personal Communications by Satellite Earth Gateway Station	1,600
7.	Miscellaneous	
(i)	Computer print-out per licence/certificate	100
(ii)	Duplicated per licence/certificate	50
(iii)	New licence where the name and/or title of the licence change	50
(iv)	Take over the radio-communication system: Applicable prescribed licence fee for the relevant radio-communication service	50
(v)	Modifications to licence --Administrative (excluding address changes)	100
(vi)	Modifications to licence --Technical	210
(vii)	Temporary licence: Applicable prescribed fee as for a minimum period of one year.	380
8.	Certificate Application	
(i)	Amateur	100
(ii)	Maritime	100
(iii)	Aeronautical	100
(iv)	Validations	70
(v)	Duplicate Certificates	100
(vi)	Radio Dealer Registration Certificate	50
9	Equipment Type Approvals	
(I)	Telecommunications Line Terminal Equipment (TLTE)	1,230
(II)	Switches	1,845
(iii)	Line Maintenance Organisations (LMOs)	1,845
(iv)	Certifications	410
(v)	Labels	0.50
(vi)	Radio Equipment:	
(a)	New Application	4,000
(b)	Untested variant	2,000
(c)	Tested variant	2,000
(d)	Badge Engineering	4,000

No. R. 1255

28 November 2001

WET OP TELEKOMMUNIKASIE, 1996 (WET NO. 103 VAN 1996)

Kragtens artikel 95(3) van die Wet op Telekommunikasie, 1996 (Wet No. 103 van 1996), keur ek, dr. Ivy Matsepe-Casaburri, Minister van Kommunikasie, hierby die regulasies in die Bylae goed, wat die Onafhanklike Kommunikasie-owerheid van Suid-Afrika ingevolge artikel 95(1) gelees met artikel 88(1) van genoemde Wet uitgevaardig het.

Dr. Ivy Matsepe-Casaburri
Minister van Kommunikasie

BYLAE**1. Woordoms krywing**

In hierdie Bylae het enige uitdrukking waaraan daar in die Wet op Telekommunikasie, 1996 (Wet No. 103 van 1996) (hierna genoem "die Wet"), 'n betekenis toegeken is, dieselfde betekenis, tensy die samehang anders aandui.

2. AANSOEGELDE VIR RADIOFREKWENSIESPEKTRUMLISENSIES, GOEDKEURING, SERTIFISERING OF REGISTRASIE, MAGTIGINGS EN STASIELISENSIES (ARTIKEL 88(1))

- 3.** Hierdie regulasies wysig hoofstuk ses van die radioregulasies wat kragtens die Radiowet, 1952 (Wet No. 3 van 1952), uitgevaardig is, deur die volgende bylae van aansoekgelde in te voeg.

E 3 Aansoekgelde**Tipe radiokommunikasiediens**

		GELDE (Rand)
1.	Amateurradio	
	(i) Alle klasse lisensies(insluitende CEPT-formaat)	140
	(ii) Baken	100
	(iii) Verandering van roepsein op versoek	100
	(iv) Lisensie vir gaste of vir spesiale geleentheid	100
	(v) Luisteraar	
	(vi) Herhalerstasie insluitende radioskakel	100
	(vii) Digihaler/Bulletinbord	100
	(viii) Proefstasie vir weersatellietontvangs en herversending	210
2.	Lugvaart	
	(i) Vliegboordstasie	380
	(ii) Baken	380
	(iii) Grondstasie	410
	(iv) Herleistasie	170
3.	Land- mobiele diens	
3.1	Alarmstasie (sien ook item 5.1 vir alarmstelsels)	210
3.2	Algemene basis/mobiel	
	(i) Burgerband	210
	(ii) Burgerlike beskerming/Marnet	
	(a) Stasie sonder privaat frekwensie	210
	(b) Stasie met privaat frekwensie	620
	(iii) 27/29 MHz frekwensieband	
	(a) Stasie met een frekwensiekanaal	210
	(b) Stasie met meer as een frekwensiekanaal (insluitende stasie vir gebruik op see en binnelandse waters)	210
	(iv) Ander	
	(a) Stasie met een enkelfrekwensiekanaal	620
	(b) Stasie met meer as een enkelfrekwensiekanaal	620
	(c) Hoëfrekwensieband	
	(i) Oor die grens heen	830
	(ii) Oor die grens heen – SAOG	1,040
	(iii) Plaaslike HF	620
3.3	Proef of toetsstasie	830
3.4	Lasbeheerstasie (sien ook item 5.2)	830
3.5	Spesiale radiodienst: per lisensie	730
3.6	Telemetriestasie	730

3.7	Betaalbaar deur die Suid-Afrikaanse Nasionale Weermag, die Suid-Afrikaanse Polisiediens, Telkom SA Bpk., Eskom en Transnet Bpk.:	830
3.8	Radioskakelstasie	730
3.9	Radioskakel	730
4.	Seevaart	
4.1	Baken	180
4.2	Kusstasie	
	(i) Nie-kommersieel	480
	(ii) Kommersieel	600
4.3	Skeepsboordstasie: maritieme frekwensieband	480
4.4	Skepe wat op land mobiele frekwensies werk (sien item 3.2(iii)(b))	580
5.	Radiokommunikasiestelsels	
5.1	Alarmstelsels	980
5.2	Lasbeheerstelsel	1,000
5.3	Boodskaphanteringstelsel	1,230
5.4	Radoroepstelsel	1,430
5.5	Radiobaning:	
	Per frekwensiekanaal	275
5.6	Herhalerstelsel (gemeenskaplik en privaat)	1,100
5.7	"Pub Games"- radiostelsels:	380
5.8	Uitsaaiband-subdraerstelsel	380
5.9	Videokonferensiestelsel	380
5.10	Mikrogolf- multipuntverspreidingstelsels (MMVS)	400
5.11	Wye-area-netwerk	1,660
5.12	Toegevoegdewaarde-netwerkdienste (TWN's)	1,500

5.13	Private telekommunikasienetwerk (PTN)	1,000
5.14	Digitaal versterkte snoerlose telekommunikasie-(DEST)-stelsel	420
5.15	Draadlose lokale lus (DLL)	650
6.	Satelliet	
6.1	Vastesatelliet-aardstasie (skakel)	1,600
6.2	Vervoerbare satellietnuusversamelingstasie	1,460
6.3	Globale mobiele persoonlike kommunikasie deur satelliet-aarde-poortstasie	1,600
7.	Diverse	
(i)	Rekenaardrukstuk per lisensie/sertifikaat	100
(ii)	Duplikaat per lisensie/sertifikaat	50
(iii)	Nuwe lisensie waar die naam en/of titel van die lisensiehouer verander	50
(iv)	Oomame van 'n radiokommunikasiediens: toepaslike voorgeskrewe lisensiegeld vir die betrokke radiokommunikasiediens	50
(v)	Wysigings aan lisensie – administratief (behalwe adresveranderings)	100
(vi)	Wysigings aan lisensie – tegnies	210
(vii)	Tydlike lisensie: voorgeskrewe toepaslike lisensiegeld soos vir 'n minimumtydperk van een jaar.	380
8.	Aansoek om sertifikaat	
(i)	Amateur	100
(ii)	Seevaart	100
(iii)	Lugvaart	100
(iv)	Geldigverklarings	70
(v)	Duplikaatsertifikate	100
(vi)	Registrasiesertifikaat vir radiohandelaar	50
9	Goedkeurings van toerustingtipes	
(I)	Telekommunikasielynterminaaltoerusting (TLTT)	1,230
(II)	Skakels	1,845
(iii)	Lyn-instandhoudingsorganisasies (LIO's)	1,845
(iv)	Sertifiserings	410
(v)	Etikette	0.50
(vi)	Radiotoerusting:	
(a)	Nuwe aansoek	4,000
(b)	Ongetoetsde variant	2,000
(c)	Getoetsde variant	2,000
(d)	Kenteken-ingenieurswese	4,000



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