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## GOVERNMENT NOTICE

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### DEPARTMENT OF COMMUNICATIONS

No. R. 799

4 August 2005

### TELECOMMUNICATIONS ACT, 1996

I, Dr Ivy Matsepe-Casaburri, Minister of Communications have under section 96(6) of the Telecommunications Act, 1996 (Act No. 103 of 1996), approved the regulations in the schedule, made by the Independent Communications Authority of South Africa under section 96 of the Act, amending regulations in Government notice no R.675 published in Government Gazette No. 27772 of 6 July 2005.

### SCHEDULE

#### Amendment of definitions

**Repeal of the definition of “average unit tariff” immediately preceding the definition of “average residential bill” and substitution in its place by the following:**

“average unit tariff” is defined as the total revenue raised for a service divided by the units of service supplied over the price control year;

**Repeal of the definition of “carry over” immediately preceding the definition of “business day” and substitution in its place by the following:**

“carry over” (CO) means the percentage of the unused part of allowed revenue increase that accrues at the beginning of the price control year that will be carried over to year t;

**Amendment of clause 3, 'Reported Revenue':**

**Amendment of clause 3 by the repeal of RR<sub>(i, t-1)</sub> and substitution in its place with the following:**

RR<sub>(i, t-1)</sub>: is the Reported Revenue of Telkom, for the (i-th) service in the basket from the relevant financial year ended 31 March commencing with 31 March, 2005 for the duration of the price control period. Provided that the Reported revenue in year (t-1) derived from fixed to mobile calls shall be for the purpose of complying with price control formulas (1) and (2) in this clause, the revenue derived from that service less the corresponding mobile termination fees after the word period in the definition of RR<sub>(i, t-1)</sub>

**Repeal of Clause 5, 'Carry over':**

**Clause 5 is hereby repealed and substituted by the following:**

5. Telkom may carry over to the next price control year any unused part of the allowed tariff increase, provided that the unused part of the allowed tariff increase in both the general and the residential sub-baskets shall lapse if not used in the next price control year.

**Amendment of clause 8, 'Maximum prices':**

Clause 8 is hereby amended by the repeal of clause 8 (1) and substituted with the following:

8.(1) With effect from the effective date, prices may not exceed limits set pursuant to these regulations.

**Repeal of clause 9(4), 'In year price changes':**

Clause 9(4) is hereby repealed

**Repeal of clause 11 and substitution in its place by the following**

11. Details of prices shall be published by-

- (a) furnishing the Authority with the details of the prices and up on approval by the Authority furnish every registered office of a licensee with such details in order for it to be available for inspection, free of charge, by members of the public;
  - (b) furnishing a copy or extract of such details to any person in the Republic on request; and
  - (c) including a pro forma statement indicating the effect of the proposed increases on the bills to customers with the statements to customers prior to the implementation of such tariffs, where possible.
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