



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID-AFRIKA

Vol. 460

Pretoria, 16 October 2003
Oktober

No. 25597



9771682584003



AIDS HELPLINE: 0800-0123-22 Prevention is the cure

CONTENTS • INHOUD

No.		Page No.	Gazette No.
-----	--	-------------	----------------

GENERAL NOTICE**Communications, Department of***General Notice*

2611	The Regulation of Interception of Communications and Provision of Communication-related Information Act (70/2002): Invitation to telecommunication service providers to join the consultation process.....	3	25597
------	--	---	-------

GENERAL NOTICE

NOTICE 2611 OF 2003

DEPARTMENT OF COMMUNICATIONS

INVITATION TO TELECOMMUNICATION SERVICE PROVIDERS TO JOIN THE CONSULTATION PROCESS WITH REGARD TO THE REGULATION OF INTERCEPTION OF COMMUNICATIONS AND PROVISION OF COMMUNICATION RELATED INFORMATION ACT, 2002

The Regulation of Interception of Communications and Provision of Communication-related Information Act, 2002 (Act No. 70 of 2002) (the Act) was signed by the President on 22nd January 2003 but has not yet been put into operation.

The Act will have a considerable impact on all businesses falling within the scope of the wide definition of "telecommunication service provider" contained in section 1 of the Act and it is of the utmost importance that these businesses familiarize themselves with their obligations in terms of the Act.

In terms of the Act a telecommunication service provider include –

- any person who provides a telecommunication service under a telecommunication service licence issued in terms of Chapter V of the Telecommunications Act (including any person who provides a local access telecommunications service, public pay-telephone service, value added networks service or private telecommunication network as defined in the Telecommunications Act, or any other telecommunication service licensed or deemed to be licensed or exempted from being licensed as such in terms of the Telecommunications Act); and
- an Internet Service Provider (which is defined in the Act as any person who provides access to, or any other service related to, the Internet to another person, irrespective whether such access or service is provided under a telecommunication service licence issued in terms of Chapter V of the Telecommunications Act or not).

Section 30 of the Act provides that all telecommunication service providers must provide a telecommunication service which has the capability to be intercepted and store communication-related information. The Minister of Communications is tasked with the responsibility of issuing directives to telecommunication service providers or categories of telecommunication service providers determining amongst others the –

- manner in which a telecommunication service provider must provide a service which is capable of being intercepted and store communication-related information;
- security, technical and functional requirements of the facilities and devices to be acquired by the telecommunication service providers;
- type of communication-related information which must be stored and the period for which such information must be stored;

period within which a telecommunication service provider must be able to comply with the directive.

All telecommunication service providers are hereby invited to join the consultation process with regard to the directives to be issued under section 30 of the Act by contacting and submitting their particulars, within 15 days of publication of this notice, to the Department of Communications:

Mr. Elias Pitso
Tel. No.: (012) 427-8194 / 8100
Fax No.: (012) 427-8085
E-mail: elias@doc.gov.za

Mr Edmund Baloyi
(012) 427 8041
(012) 427 8093
edmund@doc.gov.za

PUBLICATIONS DIVISION OF THE GOVERNMENT PRINTING WORKS IN PRETORIA WILL BE CLOSED FOR STOCKTAKING PURPOSES DURING THE PERIOD 27/10/2003 TO 28/10/2003.

ANY FURTHER ENQUIRIES MAY BE DIRECTED TO M. Z. MONTJANE AND MS STEYN AT TEL: (012) 334-4653 AND (012) 334-4713, RESPECTIVELY.

YOUR CO-OPERATION WILL BE HIGHLY APPRECIATED.

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001

Publications: Tel: (012) 334-4508, 334-4509, 334-4510
Advertisements: Tel: (012) 334-4673, 334-4674, 334-4504
Subscriptions: Tel: (012) 334-4735, 334-4736, 334-4737
Cape Town Branch: Tel: (021) 405-7531

Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmansraat, Privaatsak X85, Pretoria, 0001

Publikasies: Tel: (012) 334-4508, 334-4509, 334-4510
Advertensies: Tel: (012) 334-4673, 334-4674, 334-4504
Subskripsies: Tel: (012) 334-4735, 334-4736, 334-4737
Kaapstad-tak: Tel: (021) 465-7531